

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51156 of 2022

Arising Out of PS. Case No.-166 Year-2022 Thana- BARAHAT District- Banka

=====

SANNI KUMAR SAH @ SANNI KUMAR Son of Pawan Sah Resident of
village - Barahat, P.S. Barahat, District – Banka. Petitioner/s

Versus

The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate
For the Opposite Party/s : Mr.Anil Kumar, App
For the informant : Mr. Rajib Ranjan Jha, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 14-02-2023 Let the defect(s), if any, pointed out by the office

be removed within two weeks from the date of this order failing

which the matter be listed again under the appropriate heading

for necessary action.

Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner seeks regular bail in connection with

Barahat P.S. Case No. 166 of 2022 registered for the offences

punishable under Section 366(A) of the Indian Penal Code and

Sections 11/12 of POCSO Act.

As per the prosecution, the informant's minor

daughter aged about 15 years was kidnapped by this petitioner.

The main submissions advanced by the learned

counsel Mr. Brij Nandad Prasad for the petitioner are that the

so-called victim is a married lady and during the investigation,

the victim herself revealed in her statement that the petitioner is



a friend of the husband of the victim and on the alleged day and time of occurrence, the victim's husband permitted the victim to go in the company of this petitioner and there is no allegation of sexual assault and the victim denied her medical examination to be conducted and the petitioner has been languishing in jail since 18.07.2022 having clean antecedent.

Learned APP Mr. Anil Kumar appearing for the State as well as learned counsel Rajib Ranjan Jha appearing for the informant have vehemently opposed the bail prayer and submitted that the victim is 14 years old and the defence taken by the petitioner is not believable.

Having considered the above submissions and mainly petitioner's clean antecedent and his young age mentioned in his petition, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Barahat P.S. Case No. 166 of 2022.

(Shailendra Singh, J)

Sanjay/-

U		T	
---	--	---	--

