

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62195 of 2022**

Arising Out of PS. Case No.-256 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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SAURAV SAHNI @ GUDDU SAHNI S/o Lutan Sahni R/o village-
Lalunagar Ward No.-02, P.S.- Muffasil (Lakho O.P.), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Adv.
For the Opposite Party/s : Mr. Nityanand, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 07-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
22.05.2022, in connection with Muffasil (Lakho O.P.) P.S. Case
No. 256/2022, F.I.R. dated 20.05.2022, for the offences
punishable under Sections 363 and 366(A) of the Indian Penal
Code.

According to prosecution case, the petitioner is alleged
to have kidnapped the minor daughter of the informant.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears
from the F.I.R. that the date of occurrence, as alleged in the



F.I.R., is 12.05.2022 but the present F.I.R. has been instituted on 20.05.2022, after delay of eight days without giving any explanation of delay. He further submits that in fact the petitioner was in love with the victim and the victim was recovered and her statement was recorded under Section 164 of the Cr.P.C., in which, she has not stated anything against the petitioner and she has refused for her medical examination. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 22.05.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 learned Chief Judicial Magistrate, Begusarai, in connection with Muffasil (Lakho O.P.) P.S. Case No. 256/2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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