

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62789 of 2022

Arising Out of PS. Case No.-228 Year-2022 Thana- TURKAULIYA District- East Cham-
paran

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ARJUN SAHANI S/O JOGI SAHANI @ YOGI SAHANI R/v- Hardiya,
Govindapur, P.S.- Turkauliya (Raghunathpur O.P), District- East Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s: Mr.Uma Shankar Prasad Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 376, 420/34 of the Indian Penal Code.

Allegedly, petitioner is said to have established physical relationship on the false pretext of marriage.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to village dirty politics. The allegation levelled against the petitioner is false and baseless. The petitioner is in no way concerned with the alleged victim girl. The informant has lodged the present case to harass the petitioner and his family members. It is further submitted that the victim was not medically examined and in absence of medical evidence, no offence under



Section 376 IPC is made out against the petitioner. Learned counsel for the petitioner relied upon the judgment of Hon'ble Apex Court passed in the case of Deepak Gulati Vs. State of Haryana, reported in (2013) 7 SCC 675. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail by submitting that the statement of victim girl has been recorded u/s 164 Cr.P.C in which she supported the prosecution case.

Having regard to the facts and circumstances of the case as well considering the judgment of the Hon'ble Apex Court, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Turkauliya (Raghunathpur) P.S. Case No. 228/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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