

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7201 of 2024

Arising Out of PS. Case No.-721 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Nandu Sahni Chethru Sahani @ Devan Sahni Resident of Village-Gorigawn,
P.S.-Sugauli, Distt-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Muffasil (Lakhaura) P.S. Case No. 721/2023 lodged on
14.10.2023 under Sections 363, 366A of the Indian Penal Code
and Section 8 of the POCSO Act.

3. As per the prosecution case, the FIR has been
lodged against five named accused persons alleging therein that
all the accused persons have abducted the daughter of the
informant with a view to performing her marriage.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The victim
has been recovered and she got her statement recorded under



Section 164 of the Cr. P.C. alleging therein that the petitioner and his father had forcibly kept her in confinement at his home for four days. In fact, the victim fell in love with the son of the petitioner and due to this, she left the house and came to the house of the petitioner. The petitioner himself informed the police and, thereafter, the recovery took place. The petitioner is in custody since 26.11.2023 and is accused in five more criminal cases, but in all the cases, he has been granted bail.

5. Learned counsel for the State opposes the prayer for bail.

6. Upon specific query from the counsel for the petitioner that whether the charge has been framed or not, he submits that as per his knowledge, the charge has not been framed.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari in connection with Muffasil (Lakhaura) P.S. Case No. 721/2023, subject to the conditions as laid down under Section 437(3) of



the Code of Criminal Procedure.

8. The learned court below shall release the petitioner on bail only after framing of charge, if not framed as well as on being satisfied that the petitioner is not absconding in any of the cases as mentioned in paragraph no.3 of the petition as under :-

1. Sugauli P.S. Case No. 283/2018.
2. Sugauli P.S. Case No. 286/2019.
3. Sugauli P.S. Case No. 77/2023.
4. Sugauli P.S. Case No. 544/2021.
5. Sugauli P.S. Case No. 421/2019.

(Dr. Anshuman, J)

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