

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42369 of 2023

Arising Out of PS. Case No.-18 Year-2014 Thana- DEWARIA District- Muzaffarpur

PAPPU SAHANI S/o- JAGDISH SAHANI Village- Dharphari Ps- Deoriya
Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. WIFE OF BAIJU SAHANI RESIDENT OF VILLAGE- MALLAH TOLI,
DHARPHARI, PS- DEORIA, DIST- MUZAFFARPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar
For the Opposite Party/s : Mr.Akshay Lal Pandit
Mr. Yugal Kishore

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

10 20-09-2024 Heard the learned counsel for the petitioner and

learned APP for the State, assisted by the learned counsel for the

informant.

2. This is an application for regular bail on behalf

of the petitioner for the offences alleged under Sections 366,
366(A) and 376/34 of the Indian Penal Code, registered in
connection with Deoriya P.S.Case No. 18 of 2014 (S.T.No.843
of 2022).

3. As per allegation, the petitioner along with other

accused persons kidnapped the minor daughter of the
complainant and committed rape upon her and held hostage in
the house of co-accused Malik Sahni with intent to marry or sell



her.

4. The learned counsel for the petitioner has submitted that out of five accused persons, one Rajesh Sahni was convicted under Section 363 of the IPC. He was the main accused. His appeal is pending in this Court as Cr.Appeal (SJ) No. 1620 of 2018. He (Rajesh Sahni) has been granted bail by the appellate court under Section 389 of the CrPC. So far as other accused persons are concerned, co-accused Poonam Devi and Dharmendra Sahni have been granted bail by the lower court itself. So far as co-accused Malik Sahni is concerned, he is also out of jail, but his anticipatory bail petition has been rejected. The petitioner is in custody since 26.08.2022 and his case is on similar footing to that of co-accused Dharmendra Sahni, Poonam Sahni and Malik Sahni.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail by submitting that the trial is going on and out of sixteen charge-sheeted witness, four have been examined.

6. Considering above facts and circumstances of the case as well as the prolonged custody of the petitioner for more than two years, 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 1st Additional Sessions Judge, Muzaffarpur in connection with Deoria P.S.Case No. 18 of 2014 (S.Tr.No. 843 of 2022), subject to the conditions that **the petitioner shall cooperate in the disposal of trial and make himself available on each and every date fixed at the trial, and if he fails to appear on two consecutive dates, unless he is prevented by extremely adverse circumstances, the court below shall be at liberty to cancel his bail bond.**

(Nawneet Kumar Pandey, J)

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