

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39579 of 2024**

Arising Out of PS. Case No.-75 Year-2023 Thana- BARARI District- Katihar

Ratan Sahni @Ratan Kumar Sahni S/O Late Jichho Sahni @Jichho Manjhi  
R/O Village Madheli, P.S. Barari, Distt-Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      26-06-2024                      Heard Mr. Bhola Prasad, learned counsel for the  
petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Barari P.S. Case No. 75 of 2023 for the offence under Sections 366(A), 504, 506 and 34 of the I.P.C. lodged on 10.03.2023 by the informant, Arun Prasad Mahto.

3. As per the prosecution story, the informant alleged that his daughter had gone to purchase cloth but failed to return and later came to know that this petitioner along with associates has taken her away for marriage. Accordingly, the FIR.

4. The victim girl returned and her statement under Section 164 Cr.P.C. was recorded in which she has not complained about any sexual assault and also stated that she could not see the faces of accused persons as her eyes were



closed. Though, they used to call someone Ratan.

5. Learned counsel for the petitioner submits that only because his name was incorporated in the FIR itself, though denying any wrong-doing with her, at the behest of her family members, she took the name of Ratan. Even then, it is not clear it is the petitioner. The last submission is that the petitioner do not have any criminal antecedent.

6. Learned APP opposes the prayer submitting that the girl has named one of the accused as Ratan though she could not see the face.

7. Considering the aforesaid submissions as also that no wrong-doing has been alleged against the accused persons, he do not have criminal antecedent and will have to face the trial, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-III, Katihar in connection with Barari P.S. Case No. 75 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

Adnan/-

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