

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63260 of 2024

Arising Out of PS. Case No.-415 Year-2024 Thana- MAJHAULIA District- West Champaran

Sipahi Sahni S/O Late Bhikhari Sahni Resident of Vill- Senuwariya, Nayaka
Tola, Ward No. 16, P.S.- Majhauria, Dist- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Umrawati Devi W/O Dashrath Sahni R/O Village- Senuwariya, Nayaka
Tola, Ward No. 16, P.S- Majhauria, Distt.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, APP
For the Informant	:	Mr. Rajdeep Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 18-11-2024 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner seeks bail in Manjhaulia P.S. Case
No. 415 of 2024, instituted for the offences punishable under
Sections 354B, 376, 34 of the Indian Penal Code, Sections 4 and
8 of POCSO Act.

3. The prosecution case, in short, is that, the petitioner
tried to outrage the modesty of victim no. 1 who is minor
daughter of the informant by entering the house of the informant
and later on again the petitioner entered into the house of the
informant and misbehaved with the second daughter of the
informant. On raising alarm by victim no. 2, the petitioner fled
away from the spot. After the incident when a Panchayati was



going on between the parties, then the victim no. 1 disclosed about the occurrence happened with her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner also submits that the husband of the informant and petitioner are cousin brothers. Due to some land dispute with regard to partition of joint family property, the petitioner has been implicated in this case. There is delay of six days in lodging the FIR. It is further submitted that medical examination report of victim no. 1 does not support commission of any occurrence with her. Whereas, medical examination of victim no. 2 has not been done during course of investigation. The petitioner is in custody since 27.06.2024 and has got two criminal antecedents in which he is on bail in one case.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and also submits that both of the victims have mentioned in their statement recorded under Section 161 and 164 Cr.P.C. about the alleged occurrence and have levelled specific allegation against the petitioner. Hence, the petitioner does not deserve the privilege of bail.



6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial expeditiously. However, if the trial is not concluded within a period of nine months from the date of receipt/production, the petitioner will have liberty to renew his prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

Rajorshi/-

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