

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64043 of 2024

Arising Out of PS. Case No.-18 Year-2021 Thana- MAHILA P.S. District- Muzaffarpur

Vikas Sahni Son of Kishindev Sahni @ Kishan Dev Sahni Resident of Village
- Shekhpura, P.S.- Ahiyapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Soni Shrivastava, Advocate Ms. Aditi Sharma, Advocate Mr. Gaurav Singh, Advocate
For the State	:	Mr. Upendra Kumar, APP
For the Informant	:	Mr. Ranjeet Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 18-10-2024 Supplementary affidavit on behalf of the informant

and joint affidavit on behalf of the petitioner and the

informant/wife have been filed. Let it be kept on the record.

2. Heard Ld. counsel for the petitioner and Ld. APP

for the State as well as learned counsel for the Informant.

3. The petitioner seeks bail in connection with Mahila

P.S. Case No. 18 of 2021, registered for the offences punishable

under Sections 341, 342, 366, 376, 323, 504 and 506/34 of the

Indian Penal Code

4. The prosecution case as emerging from the FIR is

that the informant/alleged victim was enticed away by the

accused-petitioner stating that his father is very rich and he

would marry her. He also established physical relationship

forcibly with the victim and when she got pregnant, he was



forcing her to commit suicide by jumping in river. On refusal to commit suicide, he asked her to go anywhere and he also threatened her that in case, any case is lodged against him, her parents and brother would be kidnapped and killed.

5. Learned counsel for the petitioner as well as learned counsel for the informant jointly submit that the accused/petitioner is legally wedded husband of the informant. Their marriage was solemnized in a temple and both of them are blessed with a child out of their wedlock. On account of some misconception or matrimonial discord, the FIR was lodged by the wife (informant). They also submit that the informant/wife is presently living in the house of the accused/petitioner along with their child. They further submit that both the them have also submitted the application stating the fact supported by joint affidavit by the petitioner as well as the informant/wife.

6. Considering the fact that the petitioner and the informant/wife are legally wedded and a child is born out of their wedlock, this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Court of Exclusive Special Judge, Court.-III, Muzaffarpur in



connection with Mahila P.S. Case No. 18 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/Court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the Court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.

(iv) In case, it is brought to the notice of the Court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioner.

(Jitendra Kumar, J)

Shoaib/S. Ali

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