

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65763 of 2023

Arising Out of PS. Case No.-286 Year-2021 Thana- HARSIDHI District- East Champaran

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Arjun Sahani Son Of Sukan Sahani Resident Of Village- Sonbarsa, Ps-
Harsidhi, 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

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 363, 366(A), 34 of the Indian Penal Code,

Sections 8, 12 of the POCSO Act and Sections 3(i)(r)(s)

of the SC & ST (POA) Act.

It is a case of commission of kidnapping of the

minor daughter of the informant.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely



been implicated in this case. The petitioner is not named in the F.I.R and the name of the petitioner subsequently transpired in the 164 Cr.P.C statement of the victim. The victim in her statement recorded under Section 164 Cr.P.C has not alleged any physical or sexual assault against the petitioner and there is general and omnibus allegation against the petitioner. The petitioner is languishing in custody since 07.07.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions



Judge-cum-Special Judge, POCSO Act, East Champaran
at Motihari in connection with Harsidhi P.S. Case No.
286 of 2021.

(Sunil Kumar Panwar, J)

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