

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81146 of 2023

Arising Out of PS. Case No.-58 Year-2020 Thana- MAHILA P.S. District- Samastipur

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Pankaj Sahni S/O Shankar Sahni R/O Village- Kunwa, P.S- Bithan, Distt.-
Samastipur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-02-2024 Heard Mr. Bijay Bhushan Prasad, learned counsel

for the petitioner as well as Mr. Bhanu Pratap Singh, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
01.06.2022 in connection with Sessions Trial No. 529 of 2022
arising out of Bithan P.S. Case No. 58 of 2020, F.I.R. dated
24.09.2020 for the offences punishable under Sections 376 and
506 of the Indian Penal Code.

3. Earlier the bail application of the petitioner has
been rejected by this Hon'ble Court vide order dated 02.05.2023
passed in Cr. Misc. No. 66711 of 2022.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the
petitioner has not committed any offences as alleged in the



F.I.R. He further submits that the statement of the victim was recorded under Section 164 of the Cr.P.C. in which she has supported the case of the prosecution but her statement was recorded after delay of more than 2 months.

5. Vide order dated 15.12.2023 a report was called with regard to the present stage of trial. Report of the learned Trial Court dated 22.01.2024 reveals that five witnesses have already been examined and the case is pending for the examination of rest of the four prosecution witnesses.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, report of the learned Trial Court and the nature of allegation, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 529 of 2022 arising out of Bithan P.S. Case No. 58 of 2020 pending in the court of learned 10th Additional Sessions Judge, Samastipur.

8. Prayer is refused.

9. However, learned Trial Court is directed to expedite and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

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