

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83349 of 2023

Arising Out of PS. Case No.-715 Year-2023 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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MITHUN SAHNI SON OF JABUN SAHNI @ JAGUN SAHANI
(WRONGLY MENTIONED HIS AGE IS 35 YEARS IN THE COMPLAINT
PETITION) (WRONGLY MENTIONED THE FATHERS NAME AS
SABUN SAHNI IN PLACE OF JABUN SAHNI IN THE COMPLAINT
PETITION), R/O VILLAGE- KURSELA BASTI, PACCHIMTOLA, P.S.-
KURSELA, DISTRICT- KATIHAR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. MOST. SABITA DEVI WIFE OF LATE CHANDAN SAHNI R/O
VILLAGE- KURSELA BASTI, PACCHIMTOLA, P.S.- KURSELA, DIST.-
KATIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar , Advocate
For the Opposite Party/s : Mr. Nityanand , APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 376, 379, 323 , 504, 506
and 34 of the Indian Penal Code .

3. As per the prosecution case, petitioner is alleged to
have committed sexual assault with the complainant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. As a matter of fact, there is delay of 12 days in lodging



the complaint, for which there is no plausible explanation .
Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer
for bail and submits that there is direct and specific allegation
against the petitioner that he forcefully entered into the house of
the complainant and committed sexual assault with her.

6. Considering the nature of accusation and gravity of
offence , prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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