

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86433 of 2023

Arising Out of PS. Case No.-173 Year-2022 Thana- MADHUBAN District- East Champaran

NITISH KUMAR SAHANI @ NITESH KUMAR SAHANI SON OF RAM
BALAK SAHANI RESIDENT OF VILLAGE - KHAIRAWA, P.S. -
MADHUBAN, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate

For the Opposite Party/s : Ms. Usha Kumari 1. A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
Madhuban P. S. Case No. 173/2022 in a case registered for the
offences punishable under Sections 363, 366A, 504, 506/34 of
the Indian Penal Code, Sections 3(2)(va) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act and
Section 8 of the Protection of Children from Sexual Offences
Act.

3. As per the prosecution case, this petitioner is
alleged to have misbehaved with the daughter of the informant
and kidnapped her for the purpose of marriage.

4. Learned counsel for the petitioner submits that the



victim in her statement recorded under Section 164 Cr.P.C. has not supported the allegation made against the petitioner. Age of the victim is assessed between 18-19 years. Petitioner is in custody since 19.05.2023.

5. Learned A.P.P. for the State vehemently opposes the bail application.

6. Considering the statement of the victim recorded under Section 164 Cr.P.C. and period of custody, the bail application is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 7th Additional Sessions Judge-cum-Special Judge POCSO Act, East Champaran, Motihari in connection with Madhubani P. S. Case No. 173 of 2022.

(Prabhat Kumar Singh, J)

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