

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69589 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- Jaitpur District- Muzaffarpur

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Jitendra Sahni, Son of Gonaur Sahni @ Ganur Sahni, Resident of Kaswa
Girjas, P.O- Jaitpur, P.S.- Girjas, District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarita Devi, Wife of Pramod Thakur, Resident of Village- Jimnagar, P.S.-
Paru, Dist- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Syed Firoz Raza, Advocate
For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 20-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Jaitpur P.S. Case No. 61 of 2024 instituted for the offence under
Sections 341, 323, 377/34 of the Indian Penal Code and Sections
4/6 of the POCSO Act.

3. The case of the prosecution is that on 17.06.2024 at
about 7.30 P.M., Jitendra Sahni (petitioner) and Devan Sahni came
at the door of the informant, called her son Aditya Kumar aged
about 13 years to come with cycle. After this, he was kidnapped.
He was being administered something in the *basbari* due to which
he got intoxicated. After this, both of the abovenamed accused



persons committed carnal intercourse. After this, the victim was rushed to P.H.C. from where he was referred to S.K.M.C.H. for better treatment.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. He has been falsely implicated in the present case. It is further submitted that the occurrence is of 17.06.2024 whereas the F.I.R. has been lodged after the delay of two days on 19.06.2024. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 21.06.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that in this case, the victim has given his statement under Section 161 and 164 of the Cr.P.C. as well. In both the statement, he has categorically stated that the petitioner along with other has committed carnal intercourse with him. The learned counsel for the petitioner has submitted that he has been falsely implicated in this case due to disputes between the parties but he has not been able to make out the specific defence that as to what kind of dispute was there between the parties.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer



for bail stands rejected.

7. Petitioner will be at liberty to renew his prayer for
bail after six months, if the trial is not concluded.

(Ashok Kumar Pandey, J)

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