

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89323 of 2024

Arising out of PS. Case No.-472 Year-2023 Thana- NAUTAN District- West Champaran

Raja Sahani @ Raja Sanani @ Raja Sahni S/o Chandeshwar Sahani @ Chandeshwar Sahni R/o Village- Singaha, P.S- Harsidhi, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate

For the Opposite Party/s: Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 11-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Nautan P.S. Case No. 472 of 2023 instituted for the offences under Section 366/34 of the Indian Penal Code.

3. The allegation primarily against the petitioner is that he along with other family members forcibly took away the daughter of the informant during his absence on 25.10.2023. However, his wife tried to save her but the named seven accused persons including the petitioner took away his daughter forcibly and he has expressed his fear that his daughter has been married to the petitioner (Raja Sahani @ Raja Sanani @ Raja Sahni).

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in this case and



he is innocent. In fact, the petitioner and the girl who is said to have been kidnapped was in love and the said girl had gone with the petitioner out of her own freewill. Learned counsel for the petitioner has drawn attention of this Court that though this incident is stated to have occurred on 25.10.2023, however, the information to the police was given on 10.11.2023, i.e., after almost delay of fifteen days. Learned counsel for the petitioner further submit that petitioner is in custody since 22.06.2024 and he carries no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that there is specific allegation against the petitioner of forcibly kidnapping daughter of the informant and subsequently when she was recovered her statement was recorded under Section 164 Cr.P.C. wherein she has also stated that she was forcibly taken away by the petitioner, hence, the petitioner does not deserve liberty of bail.

6. Considering the aforesaid submissions made on behalf of the petitioner and the fact that the petitioner is in custody since 22.06.2024 and he is having clean antecedent, I am inclined to grant the privilege of bail to the petitioner. The petitioner, above named, is directed to be released on bail on fur-



nishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Bettiah, West Champaran in connection with Nautan P.S. Case No. 472 of 2023, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(Sourendra Pandey, J)

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