

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.276 of 2025

Arising Out of PS. Case No.-26 Year-2021 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Dharmendra Sahani @ Dharmendra Kumar S/O Late Ram Badan Sahni R/O
Vill.- Manjhaul, P.S.- Cheriabariyarpur, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate
For the Opposite Party/s : Ms.Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 23-04-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with

Cheria Bariyarpur P.S. Case No. 26/2021 registered for the

offences under Sections 366, 367, 368, 370, 371 of the

Indian Penal Code.

3. The prosecution story in short is that one co-

accused namely, Dilip Sahni developed close relationship

with the wife of the informant and she was lured in a false

promise of getting job. Later on, she was kidnapped by

unknown persons and a suspicion was raised that the

informant' wife was sold and it was a case of human



trafficking.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely on the ground that he is the brother of one co-accused namely, Dilip Sahni against whom primarily the entire allegation has been levelled. It is submitted that from perusal of the written report, it would be clear that the entire allegation was levelled against one Dilip Sahni and even from the statements of the witnesses, if taken into account, it is clear that the said Dilip Sahni is alleged to have kidnapped the wife of the informant and sold her off for prostitution. Learned counsel further submits that though the petitioner could not surrender earlier, but finally he has surrendered before the learned court below on 22.06.2024 and thereafter, he is in custody. It is lastly submitted that the petitioner has clean antecedent.

5. Learned counsel for the State has opposed the prayer for bail of the petitioner stating that the petitioner has absconded and had not made himself available, if his contention of being innocent is taken into consideration. Learned APP further states that petitioner is one of the co-



accused and there is an allegation that he along with his brother and some unknown persons had kidnapped the wife of the informant and had sold her off.

6. Considering the aforesaid submissions of the learned counsel for the parties and from perusal of the written report it is evident that the prime allegation is levelled against one Dilip Sahni who was arrested and is facing trial and there is no specific allegation levelled against the petitioner, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Manjhaul in connection with Cheria Bariyarpur P.S. Case No. 26/2021 subject to the conditions that:

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. The petitioner should refrain in interaction with the victim girl or the prosecution side.
- d. The petitioner shall also report to the



office of the S.P., Begusarai every 15 days and the certificate to said effect shall be sent to the learned court below and if learned court below finds any deviation from the said conditions, the bail bond of the petitioner shall be cancelled.

e. 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 cancelled by the court concerned.

(Sourendra Pandey, J)

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