

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15438 of 2015

Arising Out of PS.Case No. -211 Year- 2002 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Motilal Sahni Son of Jaigovind Sahni
 2. Jagarnath Sahni @ Jaganath Sahni Son of Rup Narain Sahni
 3. Rup Narayan Sahni Son of Bangali Sahni All of village - Sapahi, P.S. - Turkaulia, District - East Champaran.

..... Petitioner/s
Versus

1. The State of Bihar.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar

For the Opposite Party/s : Mr. Amit Kumar Rakesh(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 28-07-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner nos. 1 and 3 are in custody since 22.08.2014 and the petitioner no. 2 is in custody since 26.07.2014 in connection with Turkaulia P.S. Case No. 211 of 2002 for the offence registered under Sections 315, 376 and 504 of the Indian Penal Code.

Learned counsel for the petitioners submits that the allegation against these petitioners is vague and there is no evidence to show that actually these petitioners had committed the offence under Section 315 of the Indian Penal Code, as the complainant herself has stated that in the petition that she was still

carrying the child in question. It is further submitted that petitioners have no criminal antecedent and the entire family has been named as accused persons for oblique reasons.

Considering the aforementioned submissions and the period of custody as also the fact that petitioners have got no criminal antecedents, let the petitioners, above named, 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 the Sub Divisional Judicial Magistrate, Sadar Motihari in connection with Turkaulia P.S. Case No. 211 of 2002.

(Anjana Mishra, J)

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