

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24899 of 2015

Arising out of PS.Case No. -10 Year- 2015 Thana -BEERPUR District- BEGUSARAI

Wakil Sahni, Son of Bharat Sahni, R/o village - Samat, P.S. Beegwenpur,
District – Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.35457 of 2015

Arising out of PS.Case No. -10 Year- 2015 Thana -BEERPUR District- BEGUSARAI

Ashok Sahni, son of late Dulal Sahni, R/o Bashi p.s chariya, Beariyarpur.
District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.24899 of 2015)

For the Petitioner : Mr. Karandeep Kumar, Advocate.

For the Opposite Party : Mr. A.K.Chaudhary(App)

(In Cr.Misc. No.35457 of 2015)

For the Petitioner : Mr. Karandeep Kumar, Advocate.

For the Opposite Party : Mr. Rana Randhir Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 02-09-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are languishing in custody since
07.02.2015 and 08.02.2015 respectively in connection with Birpur
P.S. Case No. 10 of 2015 for the offences instituted under Sections

364, 302, 201 and 120(B)/34 of the I.P.C.

The prosecution story, in brief, is that on 24.01.2015 the informant had lodged a report of missing his son Gopal Kumar alias Anil Kumar. Subsequently, he was informed that on 19.01.2015 at about 3.15 P.M. his son Gopal Kumar was called by Santosh Mahton alias Andhra, Shambhu Sahni, Ram Krishan Kumar, Shaligram Paswan to Baghwara from where they took away his son and since then he got no information about his son. On inquiry to these persons they did not reply satisfactorily and denied to tell anything. His villager Birju Sahni has inimical term with Jai Jai Ram Sahni alongwith his brother and accompany had committed murder of Birju Sahni. After the murder of Birju Sahni, Jai Jai Ram Sahni had threatened to his son to face consequences for accompany Birju Sahni. It appears that all nine accused persons named in the written report have committed murder of his son after kidnapping him and destroyed the dead body of his son.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 07.02.2015 and 08.02.2015 respectively and the charge sheet has already been submitted in the present case. The main allegation is against Santosh Mahton alias Andhra, Shambhu Sahni, Ram Krishan Kumar, Shaligram Paswan. So far as petitioners are concerned, there is no specific

allegation has been made against them. Petitioners have got no criminal antecedent.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R. but the specific allegation is against other co-accused.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Begusarai, in connection with Birpur P.S. Case No. 10 of 2015.

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(Sudhir Singh, J)