

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32830 of 2015

Arising Out of PS.Case No. -23 Year- 2012 Thana -SUGAULI District-
WESTCHAMPARAN(BETTIAH)

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1. Raju Sah son of Bhagreeth Sah Resident of Village- Ghiwadhar, police
Station- Harshidhi, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Bhanu Pratap Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 09-11-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sugauli
G.R. P.S. Case No. 23 of 2012 registered for the offence
punishable under Sections 363, 365/34 of the Indian Penal Code.

Allegedly, the son of the informant was picked up by co-
accused Sita Ram Sah and was given to Raj Kumar and went away
through Jan Nayak Express. Earlier also Sitaram Sah, Raj Kumar,
Ashok Sah and the petitioner assaulted the informant and his wife.

Submission is of false implication and that during
investigation the wife of the petitioner was apprehended and her
statement has been recorded under Section 164 of the Cr.P.C.

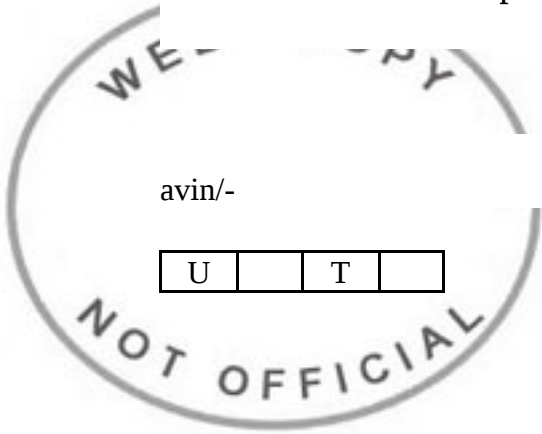


which is altogether a different version of the occurrence. The petitioner is not associated with the disappearance of the boy and co-accused Satan Sah and Gulaichi Devi have been admitted to bail by another co-ordinate Bench of this Court vide order dated 23.06.2014 passed in Cr. Misc. No. 17413 of 2014, web copy of which has been produced. The petitioner is suffering in custody since 30.01.2014 having no criminal antecedent, chargesheet has already been submitted and there is no chance of tampering with prosecution evidence.

Learned APP is not in a position to distinguish the case of the petitioner from that of co-accused who have been admitted to bail.

In the facts and circumstances stated above, the petitioner named above is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Bettiah, West Champaran in connection with Sugauli G.R.P. S. Case No. 23 of 2012, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two

consecutive dates on his part without any reason shall disentitle
the petitioner from privilege of bail.



(Jitendra Mohan Sharma, J)