

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36673 of 2015

Arising Out of PS.Case No. -21 Year- 2014 Thana -BELA District- SITAMARHI

=====

1. Amalesh Sahni Son of Kailash Sahni resident of village - Purandaha
Rajwara, P.S. Sonbarsa, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. P.N.Pandit (App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 04-11-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

One Sunil Sahani S/o Kailash Sahani of village-
Purandaha Rajwara, P.S. Sonbarsha, District- Sitamarhi was made
accused and it is stated that he took active part in the alleged
kidnapping.

Submission on behalf of petitioner is that it is a case of
mistaken identify and as a matter of fact, in course of
investigation, one co-accused disclosed that alias name of
aforesaid Sunil Sahani is Amlesh and accordingly, petitioner has
been remanded in this case.

Learned counsel for the petitioner submits that
petitioner does not have any alias name and moreover, he is in jail

custody since 06-04-2015 but uptill now, he has not been put on Test Identification Parade. It is further contended by him that petitioner was made accused in a case of 302 of the Indian Penal Code and that is the reason of implication of the petitioner in the present case.

Considering the above-said facts and circumstances of the case as well as submission of the parties, I do not think it proper to release the petitioner on bail and accordingly, his prayer for bail in connection with Bela P.S. Case No. 21 of 2014 pending in the court of learned Chief Judicial Magistrate, Sitamarhi stands rejected at least, at this stage.

(Hemant Kumar Srivastava, J)

A.K.V./-

U		T	
---	--	---	--