

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39000 of 2015

Arising Out of PS.Case No. -328 Year- 2013 Thana -GOPALGANJ CITY District- GOPALGANJ

- =====
1. Md. Safik S/o Md. Mustak Ahmad Resident of Village Amar Dova, P.S. Bakhira, District Sant Kabir Nagar (U.P.).
 2. Sunil Yadav S/o Mahasay Yadav Resident of Village Gadw, P.S. Khalilabad, District Sant Kabir Nagar (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Pandey

For the Opposite Party/s : Mr. Kr.Virendra Narayan(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-10-2015 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek bail in a case registered for the offences punishable under Section 395 of the Indian Penal Code.

As per the prosecution story, the petitioner is a truck driver and has loaded *Masoor Daal* from Kanpur to Siliguri on his truck and when his tyre punctured, he began to change the same then he saw a man is sitting in the driving seat. In the meantime, two another person came and forcibly put the petitioner into car in which four persons were already sitting and the petitioner became unconscious and when he gained consciousness, he found himself to be in a hospital.

It has been submitted of behalf of the petitioners that

the petitioners are in custody since 09.04.2015. Chargesheet has been submitted in the present case. There is no allegation of tempering with the evidence against the petitioners. Earlier the case was instituted for the offence under Section 395 of the Indian Penal Code. Later on, chargesheet has been submitted under Section 420 and 406 of the Indian Penal Code. Petitioner No. 1 is not named in the First Information Report. Petitioner No. 2 happens to be the informant of the case. Other co-accused have been granted bail vide order dated 21.07.2015 passed in Cr. Misc. No. 29548 of 2015.

It has been submitted on behalf of the State that petitioners are not named in the First Information Report.

Considering the aforesaid facts and circumstances, the petitioners above named are directed to be enlarged 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 learned Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj P.S. Case No. 328/2013.

(Sudhir Singh, J)

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