

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3041 of 2015

Arising Out of PS.Case No. -111 Year- 2013 Thana -NAYAGAON District- SARAN

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1. Ram Prakash Son of Vijay Kumar Sinha Resident of vill-Mithakuan
Nakhas Chowk,P.S-Nagar Hajipur,Distt.-Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.3696 of 2015

Arising Out of PS.Case No. -111 Year- 2013 Thana -NAYAGAON District- SARAN

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1. Sandeep Kumar Mahto son of Bajrangi Mahto
2. Ganesh Munda son of Udai Munda Both are residence of Mohalla Power
House Colony P.S. Chuhiya, District Ranchi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.2127 of 2015

Arising Out of PS.Case No. -111 Year- 2013 Thana -NAYAGAON District- SARAN

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1. Sabal Kishore Singh S/O Ram Janam Singh Resident of vill-Chechar,P.S-
Bidupur,Distt.-Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.10528 of 2015

Arising Out of PS.Case No. -111 Year- 2013 Thana -NAYAGAON District- SARAN

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1. Gautam Kumar @ Kuku Son of Sri Binod Kumar Mehta, Resident of
Village - Bhiratha, P.S. - Medini Chouki, District - Lakhisarai at present
Mohalla - Lallu Pokhar, P.S. - Kashim Bazar, District -Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

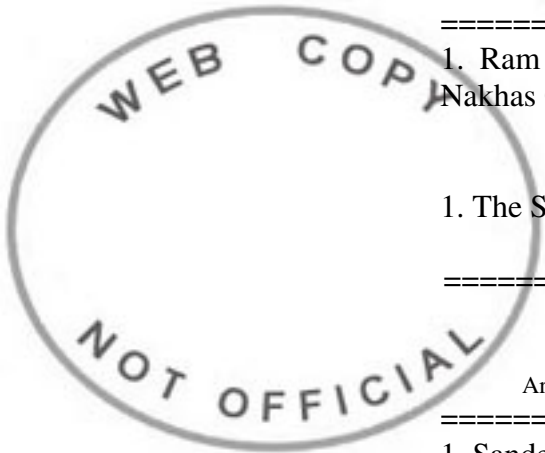
Criminal Miscellaneous No.16149 of 2015

Arising Out of PS.Case No. -111 Year- 2013 Thana -NAYAGAON District- SARAN

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1. Ravish Kumar @ Rabish Kumar son of Krishandev Prasad Mahto,
resident of village + P.O.- Paharpur, P.S.- Mednichowaki, Dist. Lakhisarai

.... Petitioner/s



Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.20815 of 2015

Arising Out of PS.Case No. -111 Year- 2013 Thana -NAYAGAON District- SARAN

1. Nagmani Singh, Son of late Ramagya Singh @ Late Ramagaya Resident of village- Chatupur, P.s.- Naya Gaon, District- Saran (Chapra).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.3041 of 2015)

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. B.M.P.Sinha(App)

(In Cr.Misc. No.3696 of 2015)

For the Petitioner/s : Mr. Ratan Kumar Sinha

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

(In Cr.Misc. No.2127 of 2015)

For the Petitioner/s : Mr. Shri Prakash Tiwari

For the Opposite Party/s : Mr. Kanhaiya Kishore (App)

(In Cr.Misc. No.10528 of 2015)

For the Petitioner/s : Mr. Manendra Kumar Sinha

For the Opposite Party/s : Mr. Satyavrat Verma(App)

(In Cr.Misc. No.16149 of 2015)

For the Petitioner/s : Mr. Dharmendra Kumar

For the Opposite Party/s : Mr. Dr. Ravindra Kumar(App)

(In Cr.Misc. No.20815 of 2015)

For the Petitioner/s : Mr. Kamlesh Prasad Yadav

For the Opposite Party/s : Mr. Kalyan Shankar (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

14 04-11-2015

Above noted applications have arisen out of one

occurrence i.e. Nagagaon P.S. Case No. 111 of 2013 registered for the offences punishable under Sections 364A, 120B, 212, 344, 328, 307, 419, 467, 471 of the Indian Penal Code as such they have been heard together and are being disposed of by this common order.



Allegedly, A.S.I. Anil Kumar Teeke along with Police force of Nani Daman came at Nayagaon Police Station and stated that he has to conduct raid at the house of co-accused Ranjit Singh at village Chaturpur as Suhail Hingora a business man of Daman has been kidnapped and kept at the house of accused Ranjit Singh and was released after receiving ransom money for which Nani Daman P.S. Case No. 162 of 2013 has been lodged and accordingly, Station House Officer of Nayagaon Police Station raided the house of Ranjit Singh along with Daman Police and recovered visiting card of Suhail Hingora, Poss Book, two ATM Card, Airtel Set-up Box etc. and accordingly, the present case was registered and five persons were made accused in this case.

Submission is that the petitioners are not named in the FIR except Nagmani Singh, they have been arrested and are suffering in custody but they have not been put on test identification parade, nothing concrete and tangible material has been recovered from their possession or from their houses. Petitioner Ram Prakash, Gautam Kumar @ Kuku, Ravish Kumar @ Rabish Kumar and Sabal Kishore Singh have also been made accused in Nani Daman P.S. Case No. 162 of 2013 and there they have been granted bail by learned Sessions Judge and this case has been lodged during investigation of that case and as such, it is hit

by Section 162 of the Cr.P.C. The trial is not likely to be concluded in near future as out of 13 chargesheet witnesses only 5 witnesses have been examined and as such the petitioners deserve bail.

Learned APP submits that he has been informed by the Superintendent of Police, Chapra that within four months the trial of this case will be concluded and some of the accused persons are of different places and their release will hamper the progress of the trial and further during course of investigation of this case some of the accused persons have confessed their guilt and accordingly, part of ransom money has been recovered and further in the house of Nagmani Singh and Sabal Kishore Singh the victim was kept.

In the facts and circumstances stated above, this Court is of the opinion that since some of the accused have been allowed bail in Nani Daman P.S. Case No. 162 of 2013, the trial court is directed to expedite the trial and conclude the same as early as possible, preferably within four months after keeping the same on day to day basis from the date of receipt/production of a copy of this order and if the trial is not concluded within the aforesaid period, the petitioners above named of all the cases are directed to be released on bail on execution of bail bonds to the satisfaction of

the learned trial court. The S.P. of Saran at Chapra will co-operate during trial.

Accordingly, these applications are disposed of with the aforesaid directions.

Let a copy of this order be sent to the S.P., Saran at Chapra.

(Jitendra Mohan Sharma, J)

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