

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25953 of 2014

Arising Out of PS.Case No. -36 Year- 2012 Thana -MAHESI
District- EAST CHAMPARAN(MOTIHARI)

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1. Manoj Sah, son of Petari Sah
2. Bitai Sah @ Bhikhari Sah, son of Baidhnath Sah,
both are resident of village - Mithanpura, P.S. - Mehsi District - East
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 03-08-2015 Heard learned counsel for the petitioners and the

learned counsel for the State.

The petitioners are apprehending their arrest in
connection with Mehasi P.S. Case No.36 of 2012 for allegedly
having committed the offences under Sections 364, 365, 367 and
120B/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that vague
and general allegations have been levelled against these
petitioners stating that they had kidnapped the grandson of the
complainant/informant and that till date her grandson has not yet
been recovered. Learned counsel for the petitioners further
submits that the informant as well as the accused persons are
neighbours and that there is some land dispute between them
and for the said reason alone, the names of the petitioners have

been brought into the present F.I.R.

Learned counsel for the State submits that there was dispute of one and half kathas of land and since the grandson is the only sole heir of the family, the petitioners had actively participated in the said occurrence. Learned counsel for the petitioners, however, submits that in the case diary, no further material has emerged so as to point finger at these petitioners.

Considering the aforementioned submissions and also the fact that of late, the informant has expressed her desire not to proceed further in the matter and that another co-accused has been granted regular bail by this Court, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Mehasi P.S. Case No.36 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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