

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10891 of 2015

Arising Out of PS.Case No. -348 Year- 2014 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sadhu Kumar son of Motilal Sah
 2. Raj Kumar Rai son of Bhaiya Ram Rai
 3. Sikandar Mahto son of Jamun Mahto All resident of Village- Laxmipur,
P.S.- Motihari Muffasil, District- East Champaran

..... Petitioner/s
Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate.
For the Opposite Party/s : Mr. A.L. Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-03-2015 Heard both sides.

The petitioners seek bail in Muffasil P.S. Case No. 348 of 2014, registered for the offences punishable under Sections 364/511, 379 and other Sections of the Indian Penal Code.

The informant alleged that he and his nephew were returning after collecting Rs. 6,85,000/-. When they reached near Lal Bagiya bridge four persons on two motorcycles came and tried to kidnap the informant and his nephew, but one of the criminals fell down in a ditch. It is alleged that all the accused persons took away the money.

Learned counsel for the petitioners submits that the petitioners are not named in the FIR. From the possession of the

petitioner Sadhu Kumar Rs. 10,000/- , from possession of petitioner Raj Kumar Rai Rs. 6,000/- and from possession of Sikandar Mahto Rs. 8,000/- were recovered, but the petitioners were not put on test identification parade. Even the recovered amount was not put on test identification parade. There is absolutely no evidence to show that the petitioners committed the offence. It is further submitted that many villagers have assembled and they took away the money of the informant and his nephew. The allegation of kidnapping is found to be false.

Considering the facts aforesaid and the nature of allegation made against the petitioners and the fact that the petitioners are in jail since 14.10.2014 and they have got no criminal antecedent, the petitioners above named are directed to be enlarged 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 Sub-Divisional Judicial Magistrate, Sadar, Motihari in connection with Muffasil P.S. Case No. 348 of 2014.

(Prabhat Kumar Jha, J.)

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