

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42139 of 2015

Arising out of PS.Case No. -153 Year- 2014 Thana -CHAKIA District- EAST
CHAMPARAN(MOTIHARI)

Dharmendra Sahni, Son of Ramashish Sahni, resident of Village- Gonahi,
P.S Patahi, Dostrocy- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.50490 of 2015

Arising Out of PS.Case No. -153 Year- 2014 Thana -CHAKIA District- EAST
CHAMPARAN(MOTIHARI)

Jagdeo Sahni, S/o Late Panchu Sahni of village - Gonahi, P.S. Patahi, Distt.
- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.42139 of 2015)

For the Petitioner : Mr. Sangeet Deokuliar, Advocate.

For the Opposite Party : Mr. Dr. Indihar Kumari(App)

(In Cr.Misc. No.50490 of 2015)

For the Petitioner : Mr. Sangeet Deokuliar, Advocate.

For the Opposite Party : Mr. Akbar Ali(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 04-11-2015 Heard learned counsel for the petitioners and learned
counsel for the State

The petitioner Dharmendra Sahni is languishing in
custody since 13.04.2015 and petitioner Jagdeo Sahni is

languishing in custody since 16.07.2014 in connection with Chakia P.S. Case No. 153 of 2014, G.R. Case No. 2680 of 2014 for the offences instituted under Sections 364, 364(A) and 365 of the IPC.

The prosecution story, in brief, is that on 01.07.2014 at about 7.30 hours in the evening, the informant's younger brother Rajeev Kumar @ Munna Kumar closed the jewellery shop and he was going to his house Balachak from Chakia with his staff Jagdish Paswan by Hero Honda Glamour Motorcycle, 7 to 8 miscreants with armed in white Scorpio was standing at Dhobighat. Younger brother (Rajeev Kumar @ Munna) of the informant was kidnapped by the miscreants.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners are in custody since 13.04.2015 and 16.07.2014 respectively and the charge sheet has been submitted in the case. There is no allegation of tampering of the evidence against the petitioners. The petitioners are not named in the FIR. Their name has come on the basis of confessional statement of co-accused. The petitioners have not been put on T.I.P., to ascertain their implication in the present case. Other co-accused have been granted bail by this Court vide Cr. Misc. Nos. 22748/2015 and 22783/2015.

On behalf of the State it has been submitted that the petitioners are not named in the F.I.R. and their name has come in course of investigation.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released 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 the learned C.J.M., East Champaran at Motihari in connection with Chakia P.S. Case No. 153 of 2014/G.R. Case No. 2680 of 2014.

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(Sudhir Singh, J)