

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47925 of 2015

Arising Out of PS.Case No. -62 Year- 2015 Thana -MOTIPUR District- MUZAFFARPUR

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1. Rambabu Sahani, son of Jogi Sahani, resident of Village- Mirun Sarai,
P.S.- Ahiyapur, Distt- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 07-12-2015

Heard the learned counsel for the petitioner as well as

the learned A.P.P.

The petitioner seeks bail in a case for the offence
punishable under section 366 of the I.P.C

Allegedly, Nitu Kumari, the daughter of the
informant, had gone to Motipur market but she did not return and
after enquiry it revealed that the brother-in-law (Sala) of the
petitioner has kidnapped her and the petitioner has also got hands
in the said kidnapping.

Submission is of false implication and that the victim
after release has stated the name of Rambabu Sahani Son of
Nathun Sahani of village- Kamrauli, P.S. Simri, District-
Darbhanga and not the petitioner and that Rambabu Sahani Son of
Nathun Sahani has been remanded in this case on 02.07.2015 and

is in custody, there is no allegation against this petitioner in the statement of the victim recorded under sections 161 and 164 Cr.P.C and as such the petitioner who is suffering in custody since 09.04.2015 deserves sympathetic consideration. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. submits that the victim has stated the name of Rambabu Sahani Son of Nathun Sahani.

In the facts and circumstances as stated above, the petitioner Rambabu Sahani son of Jogi Sahani is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M. (West) Muzaffarpur in Motipur P.S. Case No. 62 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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