

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41917 of 2015

Arising out of PS.Case No. -648 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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1. Rajdeo Sahni, son of Late Ramashis Sahni.
2. Devendra Sahni, Son of Late Ramashis Sahni.
3. Jagarnath Sahni @ Jagranath Kumar, son of Late Vishwanath Sahni. All residents of village Vijay Chapra, P.S. Ahiyapur, District- Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Bhavesh Kumar, Advocate.

For the Opposite Party : Mr. S.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-11-2015 Heard learned counsel for the petitioners and learned
counsel for the State

The petitioners are languishing in custody since 29.07.2015 in connection with Ahiyapur P.S. Case No. 648 of 2015 for the offences instituted under Section 364/34 of the IPC.

The prosecution story, in brief, is that on 29.07.2015 at 6.00 A.M. when the informant's husband had gone to tea-stall for taking tea where the petitioners arrived by Bolero vehicle and kidnapped her husband. She has stated the names of the accused persons as Rajdeo Sahni, Devendra Sahni and Jagarnath Kumar who are petitioners here. She has also stated that the petitioners kidnapped her husband with intent to kill him and further alleged

that before this occurrence these accused persons threatened her husband for executing sale deed otherwise they had told to kidnap her husband and kill him.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners are in custody since 29.07.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioners. The petitioners and the informant are the neighbours. There is an admitted land dispute between the parties. As per 164 Cr.P.C. statement, it appears that for three hours the victim was put in illegal confinement and for the said reason the present case was instituted. The petitioners have falsely been implicated in the present case..

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

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., Muzaffarpur, in connection with Ahiyapur P.S. Case No. 648 of 2015.

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(Sudhir Singh, J)