

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21137 of 2015

Arising Out of PS.Case No. -309 Year- 2014 Thana -PAHARPUR
District- EAST CHAMPARAN(MOTIHARI)

Ranjeet Rai, S/o Lalan Rai, r/o vill. Bhada, P.S. Harsidhi, Dist. East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.22039 of 2015

Arising Out of PS.Case No. -309 Year- 2014 Thana -PAHARPUR
District- EAST CHAMPARAN(MOTIHARI)

Niraj Kumar Patel @ Niraj Patel, S/o Bipin Patel @ Bipin Prasad Patel, Resident of Village Laukahan, Police Station Paharpur, District East Champaran at Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :
(In Cr.Misc. No.21137 of 2015)
For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar (APP)
(In Cr.Misc. No.22039 of 2015)
For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate
For the Opposite Party/s : Mr. Sharda Kumari(APP)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2015 Since both the criminal miscellaneous applications arise out of the same police station case, they have been heard together and are being disposed of by this common order.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners are in custody in a case registered under Sections 341, 342, 395 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in brief, is that one Ibrahim Ansari made a written report before the Officer-in-Charge, Paharpur P.S. stating therein that on 23.11.2014 at 9.00 P.M. when he was carrying sand in the meantime, near the place of Mansa Deo Baba six persons riding on two motor cycles came and started assaulting him with the butt of the gun and thereafter getting him down from the tractor they tied his hands, leg and mouth with Gamchha and Mofalar and left him in the sugarcane field and fled away with his tractor. It has also been said that the person who was riding Pulsar motorcycle was sitting with gun behind him and he can identify him. Thereafter at 10 P.M. anyhow he went to the police station and made information.

On behalf of the petitioners, it has been submitted that the petitioners Ranjeet Rai and Niraj Kumar Patel@ Niraj Patel are in custody since 1.12.2014 and 9.1.2015 respectively and the charge sheet has been submitted in the case. Further, it is submitted that the petitioners are not named in the F.I.R. However, the names of the petitioners have surfaced on the

basis of the confessional statement of co-accused. It is further submitted that there is no recovery of any incriminating article from the possession of the petitioners.

On behalf of the State, it has been submitted that the names of the petitioners have come in course of investigation.

Considering the aforesaid facts and circumstances, let the petitioners, above named, 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 Paharpur P.S. Case No.309 of 2014.

(Sudhir Singh, J)

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