

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20394 of 2016

Arising out of P.S. Case No. -178 Year- 2013 Thana -MOTIPUR District- MUZAFFARPUR

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Arun @ Arun Sahni, son of Rohti Sahni, resident of village- Vijay Chhapra,
P.S. Ahiyapur, District Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Adv.

For the State : Mr. Ram Chandra Sahni, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-07-2016 The learned counsel for the petitioner is permitted to

make necessary correction in paragraph-3 of the present
application.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
18.2.2016 in connection with Motipur P.S. Case No. 178 of 2013
for the offences instituted under Sections 323, 341, 324, 307, 372,
364(A), 353 and 34 of the Indian Penal Code and Sections 25(1-
B), A, 26 and 27 of the Arms Act.

The Prosecution story, in brief, is that on 16.7.2013,
the Informant who was the Chowkidar of Motipur Police Station
at that time, had received a call that one Santosh Kr. Thakur had

been kidnapped and the Criminals had demanded a sum of Rs.50,000/- as ransom, upon which, a chase was made and one of the accused persons was apprehended whereas rest were succeeded in fleeing away, in which the petitioner was one of the accused.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 18.2.2016 and the charge sheet has been submitted in the present case. He has falsely been implicated in the present case due to mistake of fact.

On behalf of the State it has been submitted that the petitioner is named in the First Information Report and the victim has also named the petitioner in his statement before the Police. The bail of other co-accused namely, Kailash Prasad Kushwaha @ Fauji, has also been rejected vide Cr. Misc. No. 37052 of 2014.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Motipur P.S. Case No. 178 of 2013, pending in the court of the learned Sub Divisional Judicial Magistrate (West), Muzaffarpur.

(Sudhir Singh, J)

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