

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39663 of 2016

Arising out of PS.Case No. -342 Year- 2013 Thana -NAUTAN District- WEST CHAMPARAN
(BETTIAH)

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1. Bali Sahni, s/o Mahngu Sahni
2. Ganesh Sahni @ Ganesh Sahni, s/o Shaukhi Sahni
3. Wakil Sahni, s/o late Chanchal Sahni
4. Surendra Sahni, s/o late Jagarnath Sahni

All are r/o village - Jhakhra, Malahi Tola, P.S. Jagdishpur, District West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva, Advocate
For the State : Mr. Amitesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 17-09-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek bail in connection with Nautan
(Jagdishpur) P.S. Case No. 342 of 2013 (Tr. No. 1465 of 2016)
registered under Section 302 read with Section 34 of the Indian
Penal Code.

It is submitted by the learned counsel for the
petitioners that though the petitioners are named in the First
Information Report, the Police found them innocent during
investigation and they were not sent up for trial. The two accused
who were charge sheeted by the Police are one Dasrath Das @

Kataria and one Raju Dubey. However, differing with the Police report, the learned Jurisdictional Magistrate took cognizance of the offence against the petitioners also and summoned them to face trial. It is contended that the petitioners have voluntarily surrendered before the court below on 25th July, 2016 and since then they are in jail. They have got roots in the society and are not likely to abscond or tamper with the evidence.

Regard being had to the fact that the Police did not find involvement of the petitioners in the alleged commission of the offence, the petitioners above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, VIth, Bettiah, West Champaran, in connection with Nautan (Jagdishpur) P.S. Case No. 342 of 2013 (Tr. No. 1465 of 2016).

(Ashwani Kumar Singh, J)

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