

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46241 of 2015

Arising Out of PS.Case No. -87 Year- 2015 Thana -DHAMDAHA District- PURNIA

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1. Munna Gupta son of Late Bal Mukund Gupta, resident of Village- Amari Kukru, P.S. Dhamdaha, District- Purnia.
 2. Rajendra Prasad alias Rajendra Sah, son of Sudanand Sah, resident of village- Baisathi, P.S. Bhargama, District- Araria.
 3. Mahesh Sah, son of Ramdeo Sah, resident of Village- Champawati, P.S. Sarai, District- Purnia.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Prasad Singh

For the Opposite Party/s : Mr. Narendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 29-02-2016 Heard the learned counsel for the petitioners, the learned A.P.P for the State as also the learned counsel for the Informant.

The petitioners seek bail in a case for the offences punishable under sections 341, 323, 365, 504 and 34 of the I.P.C

Allegedly, the petitioners took away the mother of the informant with Rs. 45,000/- and the document of land and thereafter the mother of the informant was at the house of petitioner no.3 where the petitioner no.2 was also present and after being asked by the informant the petitioner no.2 demanded Rs. 10,00,000/- and on refusal abused and started assaulting the informant stating that they have confined the mother of the

informant.

Submission is of false implication and that Sabita Devi, the wife of petitioner no.2 having share has executed the registered sale deed in favour of Md. Jamshed Imam and also to petitioner no.1 through different sale deeds, the informant himself made his mother traceless and has lodged this false case, during investigation no one has stated that the petitioners have taken away the mother of the informant, without any legal and cogent material charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes.

In the facts and circumstances as stated above, consider detention of the petitioners and further that charge sheet has already been submitted and there is no chance of tempering with the prosecution evidence, the petitioners are directed to 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 Sri R.K. Sinha, J.M. 1st Class, Purnia in Dhamdaha P.S. Case No. 87 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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