

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28956 of 2016

Arising Out of PS.Case No. -880 Year- 2015 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Banka Sahani, Son of Late Bikhari Sahani,
 2. Rambhu Sahani, son of Banka Sahani,
 3. Sunil Sahani, son of Banka Sahani,
 4. Urmila Devi, Wife of Anil Sahani,
 5. Sunaina Devi, Wife of Rambhu Sahani,
 6. Shobha Devi, Wife of Banka Sahani
 7. Rupa Devi, Wife of Nikesh Sahani, Daughter of Rambhu Sahani,
 8. Sita Devi, Wife of Sunil Sahani, all are resident of Mohalla- Belabanwa,
P.S.- Town, District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ansul, Advocate.

For the Opposite Party : Mr. Anil Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 22-10-2016 Heard both sides.

The petitioners apprehend their arrest in Town P.S.
Case No. 880 of 2015 registered for the offences punishable under
Sections 302 and 34 of the Indian Penal Code.

The informant father of the deceased alleged that Jila
Sahani and his family members kidnapped his daughter about
three months ago. The informant's daughter returned after 10 days
before the occurrence and two days before the occurrence Jila
Sahani surrendered in court. On 25.12.2015, while the informant
had gone to take out Jalkumbhi from Motijheel he got information

that dead body of his daughter was found in an orchard. The informant suspected that the petitioners might have killed his daughter.

Mr. Ansul, learned counsel for the petitioners submits that there is no eye witness of the occurrence. Even the daughter of the informant was residing in his house and save and except suspicion, there is no material against the petitioners.

Considering the facts aforesaid and on perusal of the case diary, it appears that save and except suspicion there appears no tangible material to show that the petitioners committed murder of the deceased, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran, Motihari in Town P.S. Case No. 880 of 2015, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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