

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.446 of 2016

Arising Out of PS.Case No. -168 Year- 2013 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

1. Rajesh Sahni Son of Chulahi Sahni, Resident of Village Rahua P.S.
Madhuban District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.5664 of 2016

Arising Out of PS.Case No. -168 Year- 2013 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

1. AWDHESH PASWAN son of Gagandeo Paswan, resident of village-
Maniyarpur, P.S. Rajepur, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.446 of 2016)

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Yogendra Kr.Singh(App)

(In Cr.Misc. No.5664 of 2016)

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA

ORAL ORDER

4 20-04-2016 Both the Criminal Miscellaneous are of the same
occurrence and as such have been heard together and are being
disposed of by passing this common order.

Heard the learned counsel for the petitioners as well
as the learned A.P.P for the State.

The petitioners seek bail in a case for the offences punishable under sections 395 and 397 of the I.P.C

The petitioners are not named in the First Information Report. As submitted, nothing has been recovered from their possession, the petitioners and others were found roaming around the house of the informant, thereafter the confessional statement of co-accused Baijnath Sahani was recorded wherein the petitioners have been named, they have not been put on the test identification parade, co-accused Baijnath Sahani has already been allowed bail vide Cr. Misc. No. 18495 of 2015 and further other co-accused, namely, Moti Mian and Sikindra Singh @ Satendra Singh have also been allowed bail.

The learned A.P.P. does not dispute the aforesaid contention.

In the facts and circumstances as stated above, both 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 D. Kumar, J.M. 1st Class, Sikarhana at Motihari/ East Champaran at Motihari in Madhuban P.S. Case No. 168 of 2013, 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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