

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36049 of 2017

Arising Out of PS.Case No. -293 Year- 2017 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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Shiv Kumar @ Sheo Kumar, son of Prabhu Ram, Resident of Village-
Salempur, Police Station- Shikarpur, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.38710 of 2017

Arising Out of PS.Case No. -293 Year- 2017 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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Lalan Ram@Lalman Ram Son of Ramchandra Ram, R/o Village- Sigari
Bigari, P.S.- Ramnagar, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.36049 of 2017)

For the Petitioner/s : Mr. Rajendra Prasad Sah

For the Opposite Party/s : Mr. Md. Arif

(In Cr.Misc. No.38710 of 2017)

For the Petitioner/s : Mr. Rajendra Prasad Sah

For the Opposite Party/s : Mr. Sri Anish Chandra

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-08-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in judicial custody since
10.06.2017 and in connection with Bagaha (Pathkhauri) P.S. Case
No. 293 of 2017 for offences punishable under Sections 406, 420,



467, 468, 471/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant namely Jarina Khatoon, is that two persons Lalan Ram and Shiv Kumar were collecting Rs. 500/- each from the villagers on the pretext that they are working for a N.G.O. 'Mangal Dal' for securing job or loan to the villagers. Thereafter, two accused persons Lalan Ram and Shiv Kumar were apprehended and from their possession cash of Rs. 1200/- and some passbooks were recovered and they disclosed that collected money was given to Dinesh Yadav to be handed over to one Harendra Yadav who was head of the N.G.O. 'Mangal Dal'.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history, do not work for any N.G.O. and nothing incriminating has been recovered from their possession. He submits that none of the witnesses have stated that the petitioners took Rs. 500/- each for securing job or loan and the allegations are false.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is also alleged to be the member of gang for extorting money from the innocent villagers on the pretext of securing loan or job.

Considering the facts and circumstances and the



materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M, 1st Bagaha, West Champaran in connection with Bagaha (Pathkhauli) P.S. Case No. 293 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioners having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating their relationship with the petitioners and the petitioners will cooperate and provide necessary papers required during investigation and will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J)

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