

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57607 of 2017

Arising Out of PS.Case No. -411 Year- 2017 Thana -MARHAURA District- SARAN

- =====
1. Rakesh Kumar Singh @ Rakesh Singh, Son of Vindayahal Singh.
 2. Prince Kumar.
 3. Praveen Kumar @ Prabin Singh.
Both are sons of Manbodhan Singh @ Potan Singh.
 4. Niku Singh, son of Virja Singh.
All are resident of Village- Rampur, P.S.- Marhaura (Gaura O.P.),
District- Saran.

.... Petitioners.

Versus

The State of Bihar.

.... Opposite Party.

=====

Appearance :

For the Petitioners : Mr.
For the State : Mr.
For the Informant : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 18-12-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioners apprehend their arrest in connection with
Marhaura (Gaura O.P.) P.S. Case No.411 of 2017 registered under
Sections 364 and 467/34 of the Indian Penal Code besides Section
27 of the Arms Act.

The accusation is that on 25.09.2017 at about 06.00 P.M.,
in the evening, the informant Ram Sah alias Ram Kishore Sah,
alongwith his villager Umesh Singh boarding the motorcycle,
moved from his house for the house of Ex-Mukhiya Manoj Singh



at village-Audalpatti for attending the 'Shradh' ceremony. At about 08.00 P.M., when the informant and Umesh Singh boarding on the motorcycle moved from the village-Audalpatti for his house and reached at Chapra near village-Siswa, one scorio vehicle of white colour dashed the motorcycle due to which the informant and Umesh Sharma fell down. Thereafter, the petitioner no.1 Rakesh Singh, petitioner no.2 Prince Kumar and the petitioner no.3 Praveen Kumar alongwith two unknown got down from the Scorio vehicle and started to cause assault to the informant through fists and slaps and while abusing, boarded the informant on the scorio vehicle forcibly and proceeded for the village-Mashrak. The scorio vehicle was being driven by the petitioner no.4 Niku Singh. After boarding the informant on the scorio vehicle, they closed the eyes of the informant through Gamchha. On the alarm being raised by the people, they started to flee away by making fire and causing assault to the informant through fists and slaps. At that time, the petitioner no.1 asked the informant on his mobile to ask his wife to go to the police station for lodging the case of his kidnapping by Pappu Singh and Rameshwar Singh otherwise he would be killed. They got the informant moved for 4-5 houses on the vehicle and, at that time, they were in contact with the others on phone. Thereafter, all took the thumb



impression of the informant on the blank paper and giving threatening of dire consequences, asked the informant to get the disputed land in their name.

Learned counsel for the petitioners submits that, in fact, Title Suit No.24 of 2014 filed by Manbodhan Singh, the father of the petitioner nos.2 and 3, against the informant is pending and only to put undue pressure upon the petitioners, the informant has lodged this false case. While the petitioners are accused in some other cases but in all the cases, the petitioners are on bail.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Saran, Chapra, in connection with Marhaura (Gaura O.P.) P.S. Case No.411 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

