

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.270 of 2017

Arising Out of PS.Case No. -70 Year- 2016 Thana -POTHIYA District- KISANGANJ

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POHAN LAL SINGH @ POHAN SINGH, SON OF KHAIR SINGH,
RESIDENT OF VILLAGE- MAKHAN POKHAR, P.S.- POTHIA,
DISTRICT- KISHANGANJ.

.... APPELLANT/S

VERSUS

THE STATE OF BIHAR

.... RESPONDENT/S

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Appearance:

For the Appellant/s : Mr. Awadhesh Kumar Pandey, Adv.

For the Spl. PP : Mr. Sri Sadanand Paswan, SPP

For the informant : Mr. Utsav Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 28-03-2017 Heard learned counsel for the appellant as well as learned Special Public Prosecutor assisted by learned counsel for the informant.

In the background of political rivalry over Mukhiya election, it has been alleged by the informant Shiv Lal Soren that Robin Sharma along with his son Raju Sharma indulged in unfair practice by bribing the voters which was resisted by the informant and in the aforesaid background, there was hot exchange. When the followers of informant intervened, both of them left the place and during course thereof, gave a challenge whereunder, subsequently his brother Agar Soren was kidnapped by the persons so named, took him to the place of Robin Sharma. So far appellant is concerned, at the fag end of the written report, it has been mentioned that he had provoked. While granting bail to Robin Sharma under Cr. Appeal (SJ) No.1008/2016 case diary was looked into wherefrom it is evident that victim was found at the *Darwaja* of Robin Sharma.

Learned counsel for the informant has submitted that chare sheet had already been submitted whereupon, cognizance had also been taken.



Considering the nature of allegation in consonance with the period of detention since 06.11.2016 appellant Pohan Lal Singh @ Pohan Singh is directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned Special Judge, Kishanganj in connection with Pothia P.S. Case No.70/2016 setting aside the order dated 14.12.2016 passed by Special Judge, Kishanganj in connection with Pothia P.S. Case No.70/2016 (supplementary). Consequent thereupon, appeal is allowed.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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