

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3715 of 2017

Arising Out of PS.Case No. -3 Year- 2016 Thana -MORE District- DARBHANGA

=====

1. Ram Pratap Sahni, son of Feku Sahni,
2. Umesh Sahni, son of Sogarath Sahni, Both Resident of Village - Rajwara,
P.S. Mushahari, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 14-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection with
Moro P.S.Case No. 3/2016 registered for the offences punishable
under Sections 400, 413, 379, 411, 414, 216 (A)/34 I.P.C. and 63
(A) (B) (C) of the Forest Act.

Allegedly, acting on a tip of, the informant and other
police personnels went at the place of occurrence, whereof seeing
the police party, one pick up van being driven by driver, drove the
vehicle rashly and negligently, as a result there of the vehicle
turned turtle. The persons boarded on vehicle were succeeded in
fleeing away but the driver of the vehicle, Amit Kumar was
apprehended and he confessed that wooden logs loaded in vehicle
were theft property and he disclosed the name of other accused,
Lalo Sahni. During investigation, Lalo Sahni disclosed the name



of the petitioners also.

Submission is of false implication and that the petitioners are being apprehended only on the basis of confessional statement of the co-accused Lalo Sahni, which has no evidentiary value in the eye of law. Other co-accused persons have been granted anticipatory bail by 1st Additional Sessions Judge, Darbhanga vide A.B.P. Nos. 662, 682 and 825d of 2016 and in all these cases the case of petitioners stands on similar footing.

Learned A.P.P. for the State submits that the name of the petitioners have transpired on the confessional statement of co-accused, Lalo Sahni.

In the facts and circumstances state above and considering that except confessional statement of the co-accused, there is no material against the petitioners and the petitioners above named, in case of their surrender or arrest within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of 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.-IV, Darbhanga in connection with Moro P.S.Case No. 3/2016, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Jitendra Mohan Sharma, J)

Sudha/-

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

