

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17835 of 2017

Arising Out of PS.Case No. -137 Year- 2017 Thana -SAHARSA District- SAHARSA

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Sachin Kumar, S/o- Yogendra Pd. Mandal, Resident of Village- New Colony, P.S. Saharsa, District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nafisuzzoha, Advocate

For the Opposite Party : Mr. Tapeswar Sharma (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 10-05-2017 Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel representing the State.

The petitioner seeks bail in connection with Saharsa Sadar P.S Case No. 137 of 2017 registered for the offences punishable under Sections 448, 307, 384, 504/34 of the Indian Penal Code.

Allegedly, three motorcycles borne criminals entered into the shop of the informant and started opening indiscriminate firing however the informant saved his life. They were demanding Rs. 5 lacs as ransom, as earlier after sending call and message, one Sohan Jha demanded ransom of Rs. 05 lacs and, as such, Sohan Jha with his associates Babul Kumar, the petitioner and Chhotu Kumar to terrorize the informant got opened the firing.



Submission is of false implication and that no injury has been caused to anyone, no ransom was paid to anyone and without any fault the petitioner is suffering in custody since 12.02.2017 and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that empty cartridge and four pellets have been recovered from the place of occurrence and the witnesses have supported the prosecution case.

In the facts and circumstances stated above, considering that the petitioner is named in the F.I.R., he has been well identified by the informant and, as such, at present, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Saharsa Sadar P.S. Case No. 137 of 2017, pending in the court of learned Chief Judicial Magistrate, Saharsa.

However, the petitioner may renew his prayer for bail after remaining 06 (six) months in custody.

(Jitendra Mohan Sharma, J)

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