

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.61364 of 2018**

Arising Out of PS.Case No. -164 Year- 2018 Thana -SHEOSAGAR District- SASARAM  
(ROHTAS)

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1. Murahu Musahar, son of Rajendra Musahar  
2. Bami Musahar, son of Rajgrih Musahar @ Rajgrihi Mushar Both  
Residents of Village- Masihabad, P.S. Sheosagar, District Rohtas.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**

**JHA**

**ORAL ORDER**

2      06-10-2018

Heard both sides.

The petitioners seek bail in Sheosagar P.S. case No. 164 of 2018 registered under Section 323, 341, 504, 506, 386, 34 of the Indian Penal Code.

The informant alleged that at about 11 in the night when he went to his pond he saw the petitioners and two others fishing in his pond but on seeing the informant the accused persons fled away. The informant further alleged that petitioners again came to his house at about 1 AM in the night and forcibly took him from his house. The petitioners are alleged to have assaulted the informant and demanded ransom. It is further alleged that wife and daughter of the informant paid Rs. one lac and then



the informant was released.

The learned counsel for the petitioners submits that petitioners and informant are co-villagers. Prior to institution of this case the informant lodged two cases, i.e., Sheosagar P.S. case No. 193 of 2015 under Section 307 and other sections of the IPC and Sheosagar P.S. case No. 183 of 2016 under Section 380 and 457 of the IPC against the petitioners for committing theft and assault. Due to fishing in the pond dispute is going on between the parties. It is further submitted that the story of kidnapping appears to be concocted. The petitioners are alleged to have kidnapped the informant from his house but nobody raised alarm and immediately thereafter daughter and wife of informant are said to have paid Rs. one lac to the petitioners as ransom amount.

On the other hand the learned counsel for the informant as well as the learned A.P.P. vehemently opposed the prayer for bail and submitted that the petitioners kidnapped the informant and released him only after payment of ransom.

From perusal of FIR it appears that petitioners and informant are co-villagers. The informant was kidnapped from his house but nobody has raised alarm. In the night itself ransom amount was paid.

Considering the facts aforesaid and the nature of



allegation made against the petitioners and the fact that petitioners are in jail since 17.06.2018 and 20.07.2018, the petitioners, above named, are directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Rohtas, Sasaram in connection with Sheosagar P.S. case No. 164 of 2018.

**(Prabhat Kumar Jha, J)**

BKS/-

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