

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51912 of 2018

Arising Out of PS. Case No.-307 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

1. Sabir Ali,
2. Munna Mian @ Ali Ahmad, Both sons of Ali Hussain, Resident of Village- Orma, Police Station- Siwan Mufassil (Mahadeva), District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Zeyaul Hoda

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 26-09-2018

Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the informant.

The petitioners, who are in custody, seek bail in connection with Siwan Muffasil (Mahadeva) P.S. Case No. 307 of 2018 registered for the offence punishable under Sections 385, 387, 34 of the Indian Penal Code.

Allegation against petitioners is that while informant started the work for construction of Godown on the leased land, petitioners demanded ransom of Rs. 25 lacs and also threatened to kill him and his family.

It has been submitted on behalf of the petitioners that petitioners are innocent and have been falsely implicated in this case. It has been further submitted that the occurrence took place on 31.03.2018 and FIR was registered on 01.06.2018. It



has been further submitted that there is a civil dispute between the parties with respect to said land. Family member of petitioners are bonafide purchaser of said land for which an agreement for sale has been executed in their favour by actual land owner and sale deed will be executed after paying the full consideration amount and as such present false case has been instituted on concocted and false allegation. Informant himself is a history sheeter.

Learned counsel for the informant has vehemently opposed the grant of regular bail to petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Siwan Muffasil (Mahadeva) P.S. Case No. 307 of 2018 subject to the conditions that:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed



by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

veena/-manoj

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

