

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64950 of 2018

Arising Out of PS.Case No. -421 Year- 2017 Thana -SIWAN CITY District- SIWAN

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1. Prabhunath Shahani @ Prabhunath Sahani Son of Late Hira Sahani
2. Basanti Devi wife of Sri Lal Babu Mallah
Both are Resident of Village-Basantpur, P.S. Mirganj, Distt.-Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 05-11-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners seek bail in Siwan Town P.S. Case No.
421/2017, registered for the offences punishable under Section
365 of the Indian Penal Code. Later on, sections 364A, 302, 201
and 34 of the Indian Penal Code were added.

Allegation is kidnapping of informant's son and demand
of ransom. F.I.R. is against unknown.

It has been submitted that petitioners have falsely been
implicated in this case. Name of petitioners has surfaced in the
case on the basis of confession of co-accused Bhaju @ Dhananjay
Prasad who has been granted bail vide order 05.04.2018 passed in
Cr. Misc. No. 13093/2018 vide Annexure-3. Other Co-accused



have also been granted bail by different benches of this court. No incriminating material has been found against these petitioners.

Petitioners have no criminal antecedent. They are in custody since 13.08.2017.

Considering the facts aforesaid, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Siwan Town P.S. Case No. 421/2017, subject to the conditions:

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.
- (3.) If the petitioners tamper 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 petitioners.

(S. Kumar, J)

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