

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67427 of 2018

Arising Out of PS. Case No.-302 Year-2015 Thana- MADHUBAN District- East Champaran

1. Sukhari Sahani, Son of Late Shiv Mangal Sahani,
2. Ramji Sahni, Son of Late Sunar Sahni, Both are Resident of Village-Jitaura Kasba Tola, P.S.-Madhuban, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

For the Opposite Party/s : Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-11-2018 Heard the parties.

The petitioners seek regular bail in connection with Madhuban P.S.case No.302 of 2015 registered for offences punishable under Sections 384 and 385 of the Indian Penal Code.

Allegation against the petitioners as per FIR is of demand of extortion of Rs.5 lac by mobile. Petitioner is not named in the FIR.

Submission of the learned counsel for the petitioners is that his name transpired on confessional statement of the co-accused and there is nothing against the petitioner and mobile and SIM is not of the petitioner. He has no criminal antecedent. He is in custody since 31.8.2018. The charge sheet has been



submitted.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM 4th, Motihari in connection with Madhuban P.S.Case No.302 of 2015.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make themselves available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

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(Vinod Kumar Sinha, J)

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