

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.19929 of 2019**

Arising Out of PS. Case No.-281 Year-2017 Thana- CHAUSA District- Madhepura

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MUKESH SAH @ KAMLESH SAH @ KAMLESHWARI SAH Son of  
Dhanee Sah @ Dhanne Sah Resident of Village - Fulpur, P.S.- Puraini, Distt.-  
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr.Mukeshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH  
ORAL ORDER**

2      05-04-2019                      Heard learned counsel for the petitioner and the  
learned APP for the State.

The petitioner, already in custody, seeks bail in  
connection with Chausa P.S. Case No. 281 of 2017, registered  
under Sections 365/34 of the Indian Penal Code.

Allegation in brief is that the informant's son was  
kidnapped while he had gone to witness Tazia procession and  
suspicion has been raised against the accused persons that they  
might have killed him due to enmity.

Learned counsel for the petitioner submits that there is  
no eye witness of the occurrence and merely on the basis of  
suspicion, as there was some enmity with the accused persons,  
they have been falsely implicated in this case whereas on the



contrary some witnesses during investigation have stated that the petitioner was not present on the day of occurrence in the village. The petitioner is stated to be having no criminal antecedent. It is submitted that the petitioner is languishing in custody since 11.1.2019. Lastly, it is submitted that exactly similarly situated accused persons have already been granted bail by co-ordinate Benches of this Court vide orders dated 26.7.2018 and 7.8.2018 passed in Cr. Misc. No. 24895 of 2018 and Cr. Misc. No. 27549 of 2018.

Having considered the aforesaid facts and circumstances, petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned SDJM, Uda Kishunganj in connection with Chausa P.S. Case No. 281 of 2017.

**(Mohit Kumar Shah, J)**

Tiwary/-

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