

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26211 of 2019

Arising Out of PS. Case No.-201 Year-2016 Thana- LAXMIPUR District- Jamui

CHANDAN SAH S/o Late Pappu Sah R/o village- Gaura, P.S.- Laxmipur,
Dist.- Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-05-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
01.06.2018 in connection with Lakshmipur P.S. Case No. 201 of
2016 for offences punishable under Section 364A of the Indian
Penal Code, Section 3/4 of the Explosive Substances Act and
Section 27 of the Arms Act.

The prosecution case as lodged by the informant is
that while he was on the roof of his house he heard sound of
explosion and found 5-6 persons forcibly kidnapping his son
Niranjan Sah. The informant identified the petitioner and other
two accused Shyam Sah and Pintu Sah. It is alleged that the
petitioner was leading the mob.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in



the aforesaid case. He submits that the statement of the victim and the informant as contained in Annexure-2 of the present application is in contradiction to the statement made in the F.I.R. and no case of kidnapping has been alleged against the petitioner or other co-accused by the victim or the informant. He further submits that charge-sheet has already been submitted and two of the co-accused named by the informant has already been granted the privilege of bail by coordinate Benches of this Court in Cr. Misc. No. 8974 of 2017 dated 27.02.2017 and Cr. Misc. No. 10012 of 2017 dated 04.04.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does bear a clean antecedent and had been made accused in one more case of similar nature but the petitioner submits that in the said case, he has already been acquitted.

Considering the nature of allegations, period of custody, materials on record and that the charge-sheet has already been submitted coupled with the fact that two of the co-accused named along with petitioner has already been granted the privilege of bail, let the petitioner above named be enlarged on bail on 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 3rd Jamui in
connection with Lakshmipur P.S. Case No. 201 of 2016.

(Nilu Agrawal, J)

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