

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40464 of 2019

Arising Out of PS. Case No.-229 Year-2018 Thana- JALALPUR District- Saran

1. Hare Ram Sah, Son of Vir Bahadur Sah Resident of Village - Bishunpura, P.S.- Jalalpur, District- Saran
2. Radheshyam Sah Son of Vir Bahadur Sah Resident of Village - Bishunpura, P.S.- Jalalpur, District- Saran
3. Babunti Devi Wife of Jai Ram Sah Resident of Village - Bishunpura, P.S.- Jalalpur, District- Saran
4. Sri Bhagwan Sah Son of Sheo Charan Sah Resident of Village - Bishunpura, P.S.- Jalalpur, District- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra
For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 27-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Jalalpur P.S. Case no. 229 of 2018, registered under Section 365/34 of the Indian Penal Code.

The accusation is that Sita Ram Sah, co-villager of the informant, kidnapped a girl of village-Chainpur due to that reasons, one family member of the girl came at the house of Bir Bahadur Sah, who came along with Jairam Sah, Shree Bhagwan Sah, Hareram Sah, wife of Jairam Sah and Radhey



Shyam Sah at the door of informant and accompanied his handicapped son Raju Kumar Mahto and locked in the room. Thereafter, informant went at Chapra station and inquired about his son, but no trace was found. In the meantime, at Chapra station informant met with Shree Bhagwan Sah and Hareram Sah and asked about his son then they replied that his son returned to his house, but his son did not return to his house.

Learned counsel for the petitioner submits that petitioners are innocent and they have falsely been implicated in this case due to grudge and enmity. Further submission is that it would appear from the case diary that son of of the informant was apprehended by the Police in market in moving condition, but at the instruction of the informant, he disclosed the name of petitioners and other having hand in his kidnapping. Further submission is that co-accused Jai Ram Sah @ Ji Ram Sah has already been allowed privilege of pre-arrest bail on 07.08.2019 passed in Criminal Miscellaneous No. 33543 of 2019. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail,



in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M-IX, Saran at Chapra in connection with Jalalpur P.S. Case No. 229 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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