

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24485 of 2020

Arising Out of PS. Case No.-147 Year-2019 Thana- MITHANPURA District- Muzaffarpur

1. UMA SHANKER SAHNI,
2. Raj Kishore Sahni,
Both S/o Ram Sewak Sahni, Resident of Village-Kanauli Bishundat, Mohan Sahni tola, P.S.-Mithanpura, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyotsna Rani Mishra

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-11-2020 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

The petitioners seek bail in a case registered for the offence punishable under Sections 366(A), 506/34 of the Indian Penal Code.

The prosecution case in brief is that on the basis of written application of informant Sunil Sahani, Mithanpura P.S. Case No. 147/19 has been lodged on 23.06.2019 against the petitioners and other named in the FIR u/s 366-A and 506/34 of the Indian Penal Code for the alleged occurrence of kidnapping on 22.06.19 at 12.00 noon at Kanhauli Vishundutt Mohan Sahani Tola. It has been inter alia alleged that physically challenged minor sister of the informant was taken away by the petitioners on gun point.

Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. The petitioners have one criminal antecedent which is mentioned in para 3 of the bail petition. The allegation against the petitioners are totally false and fabricated. The petitioners are in jail custody since 20.01.2020.

Learned APP for the State opposes the prayer for bail petition and submits that the petitioners are named in the FIR who have direct allegation of taking away physically challenged minor victim forcibly on the point of gun. It also appears that the minor victim has supported the prosecution case in her statement u/s 164 Cr.P.C.

Considering the aforesaid facts, I am not inclined to enlarge the petitioners on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Mithanpura P.S. Case No. 147/2019 from the Court of learned S.D.J.M., East Muzaffarpur.

Accordingly, this application is dismissed.

However, the petitioners are at liberty to renew their prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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