

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85873 of 2019

Arising Out of PS. Case No.-450 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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1. ASHOK SAHANI Son of Chirkut Sahani Resident of Village-Laxmipur, P.S.-Adapur, District-East Champaran.
 2. Indal Paswan Son of Chirkut Paswan Resident of Village-Laxmipur, P.S.-Adapur, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 17-01-2020 Heard learned counsel for the petitioners and
learned counsel for the State.

Petitioners, who are in custody seeks bail in a case
registered under Section 395 of the Indian Penal Code.

Informant has alleged that he is driver of truck and
after loading plastic grain he proceeded from Guwahati on
17.06.2019 alongwith co-driver Raghwendra Singh, however,
between 18/19.06.2019 while he was passing from the road near
Darbhanga one white scorpio intercepted the truck and from
which five persons came and said that they are officers of sales
tax and thereafter overpowered them on strength of arms and
forcibly took them on scorpio and thereafter left them by tying



their hands and feet, however, the truck was located by the police through G.P.S. He has further stated that he could identify the culprits.

It has been submitted on behalf of petitioners that they are innocent and have been falsely implicated in this case on the basis of suspicion and they were apprehended by the police as they were unloading the goods from said truck as labourers. It has been further submitted that although the informant has stated that he could identify the culprits but no T.I.P. was conducted. Petitioners were arrested in Adapur P.S. Case No. 156 of 2019 and thereafter remanded on 18.09.2019 in the present case, these except two cases petitioners are not accused in any other cases.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court below, in connection with Kanti P.S. Case No. 450 of 2019 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.



(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bond.

(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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