

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36986 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- RAJPUR District- Buxar

1. Choudhary Mushar Son of Late Ram Sagar Mushar Resident of Village - Sagra, PO- Nagpur, PS - Rajpur, District- Buxar.
2. Satan Mushar Son of Late Ram Sagar Mushar Resident of Village - Sagra, PO- Nagpur, PS - Rajpur, District- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-02-2021 Heard both sides.

The petitioners seek bail in Rajpur P.S. case No. 03/2020 registered u/s 363, 307/34 of the IPC. Later on Section 302 of the IPC was added.

The informant alleged that he got information that his daughter was lying unconscious near a Peepal tree. The informant went there and brought his daughter to hospital for treatment. The informant further alleged that six months earlier his daughter was kidnapped by Choudhary Mushar, petitioner No.1, Satan Mushar, petitioner No.2, Shokhu Mushar, Photo Mushar, Ranju Ram, Om Prakash Nut and Ravi Mushar.

The learned counsel for the petitioners submits that



the informant did not lodge any case for kidnapping of his daughter. During the course of investigation, it has come that Shokhu Mushar had kidnapped the daughter of the informant and when the victim fell ill and became unconscious Shokhu Mushar dropped her near the Peepal tree and on such facts co-accused Ranju Ram has already been granted bail by a coordinate Bench of this court vide order dated 26.06.2020 passed in Cr. Misc. No. 18181 of 2020 and the case of petitioners stands on same footing.

It appears from the records that the informant made omnibus and general allegation that six months earlier his daughter was kidnapped by the petitioners and other accused persons but the informant did not lodge any case for kidnapping of his daughter. During the course of investigation it has come, as would appear from the order dated 26.06.2020 passed in Cr. Misc. No. 18181/2020, that Shokhu Mushar had kidnapped the daughter of informant and he was living with her. It is submitted that petitioners have got no manner of concern with the victim and on similar facts Ranju Ram has already been granted bail by a coordinate Bench of this court vide order passed in Cr. Misc. No.18181/2020.

Considering the facts aforesaid and the nature of



allegation made against the petitioners, the petitioners, above named, are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Rajpur P.S. case No. 03/2020.

(Prabhat Kumar Jha, J)

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