

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63943 of 2021

Arising Out of PS. Case No.-346 Year-2020 Thana- MANSI District- Khagaria

1. Chhotu Sah @ Mukesh Sah S/o Kirani Sah R/o village and P.O.- Rohiyar, P.S.- Mansi, District- Khagaria
2. Vikash Sah S/o Kirani Sah R/o village and P.O.- Rohiyar, P.S.- Mansi, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate
For the State : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 13-12-2022 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioners seek bail in connection with Mansi P.S. Case No. 346 of 2020 registered for the offence under Sections 447, 448, 341, 323, 307, 379, 386, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The accused/petitioner are named in the F.I.R. and are in custody since 09.08.2021.

The allegation against the petitioners is to demand ransom of Rs.5 Lakh, alongwith other co-accused persons, from



the informant and when same was refused, indiscriminate firing was made by accused persons including this petitioner.

Learned counsel appearing on behalf of the petitioners submitted that from bare perusal of the F.I.R., it appears that informant arrived at the place of occurrence at about 2:00 am, when no accused person was available there and, admittedly, the informant is not the eye witness of the occurrence. It is further submitted that the entire implication is based upon suspicion due to previous long standing enmity with one Rinkesh Yadav. It is also submitted that local political rivalry arises out of Mukhiya elections, is an admitted position through F.I.R. itself. While concluding the argument, it is submitted that there is no specific overt act attributed to these petitioners and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as no overt act attributed to these petitioners towards commission of the occurrence coupled with the fact that chargesheet has been submitted, let both the petitioners, above



named, are directed to be released on bail in connection with Mansi P.S. Case No. 346 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

U		T	
---	--	---	--

