

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69333 of 2021

Arising Out of PS. Case No.-36 Year-2018 Thana- NAURANGIA District- West Champaran

Sonu Sahi @ Sonu Shahi @ Akshay Narayan Shahi, Son Of Abhay Narayan
Shahi @ Abhay Sahi @ Abhay Shahi Resident Of Village - Parsauni (Babu
Parsauni), Police Station - Chautarwa, District - West Champaran (Bettiah).

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 364(A)/ 34, 120(B) of the
Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 06.09.2021, charge-sheet has been
submitted in the case and has antecedent of three cases.

The learned counsel for the petitioner submits that the
informant alleges that his brother and Aslam Ansari were going
to Bagaha. Further Aslam Ansari called and informed that on the
way one Mahant Yadav took lift on their motorcycle and when
they reached Khairwa Tola, four accused persons were waiting



from before, who forcibly stopped motorcycle and took Shiva Tiwari (victim) towards the jungle. Further a call from Shiva Tiwary came, who said that Dadhi Mian is demanding Rs. One lac and have asked to come near Bawan Gadhi Pool. Accordingly, the informant along with other reached the place of occurrence where he was called. When Aslam Ansari identified one of the abductor, who was caught and he disclosed his name as Yogendra Yadav and when this fact was known to other accused, the one of the accused has been apprehended, they released Shiva Tiwary, who disclosed that Dadhi Mian and Mahant Yadav are involved in the occurrence.

The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the case. In the F.I.R., it is alleged that when the victim had called the informant, he had only disclosed the name of Dadhi Mian. It is submitted that it absolutely does not stand to reason that had the victim been kidnapped, he would have been allowed to call the informant and disclose the name of his kidnapper. The learned counsel submits that there was no dispute of the victim with Dadhi Mian on account of which they had caught him and later released him, as such, no extortion amount was paid.

The learned counsel further submits that co-accused



Yogi Miya @ Dadhi Miya, Yogendra Yadav and Mahanth Yadav have been granted bail by order dated 12.08.2021, 06.09.2019 and 29.11.2019 passed in Cr. Misc. No.28758 of 2021, Cr. Misc. No.34713 of 2019 and Cr. Misc. No.48992 of 2019 respectively.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case and co-accused have been granted bail by different Benches of this Court, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Naurangiya P. S. Case No.36 of 2018.

The application stands allowed.

(Satyavrat Verma, J)

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