

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49589 of 2014**

Arising Out of PS.Case No. -877 Year- 2014 Thana -EAST CHAMPARAN COMPLAINT District-  
EASTCHAMPARAN(MOTIHARI)

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1. Amerika Sahani @ Amerika Kumar @ Prince Kumar Son of Jagdish Sahani  
2. Jagadish Sahani Son of Babulal Sahani Both Resident of Village -  
Jaisinghpur Ghoraghat, P.S.- Turkaulia, District - East Champaran

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma  
For the Opposite Party/s : Mr. Abhay Kumar 1 (App)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      30-04-2015                      A supplementary affidavit has been filed on behalf of the  
  
petitioners. Let it be kept on the record.

The petitioners are apprehending their arrest in  
connection with Complaint Case No. C-877 of 2014 for the  
offence under Sections 420, 406, 467 and 468 of the Indian Penal  
Code.

Heard learned counsel for the petitioners and the State.

The prosecution story, in brief, is that the complainant  
purchased a Bolero from one of his relative Sandeep Sahani and  
paid Rs. 7,26,000/- . Subsequently, the vehicle was seized from  
the complainant as the vehicle was hypothecated by financier. The  
complainant, subsequently, given a tractor on the undertaking that

till return of alleged amount the complainant can use the tractor.

It is submitted on behalf of the petitioners that the vehicle, in question, was sold by one Sandeep Sahani with which the petitioners had nothing to do with the said vehicle. Further it has been submitted that the petitioners have no concern with the family of the said co accused Sandeep Sahani. It has been further submitted that none else but the brother and father of co-accused Sandeep Sahani are responsible.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Motihari, East Champaran in connection with Complaint Case No. C-877/2014 , subject to the conditions as laid down u/s 438(2) Cr.P.C. It is further directed that the petitioners shall deposit an amount of Rs. 20,000/- (twenty thousand) before the court below and the same will be subject to final disposal of the case.

**(Sudhir Singh, J)**

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