

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35674 of 2015

Arising Out of PS.Case No. -136 Year- 2015 Thana -JOGAPATTI District- WESTCHAMPARAN
(BETTIAH)

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Nathu Miya, Son of Late Mustakim Miya, Resident of Village - Semari
Bhawanipur, P.S. - (Nawalpur) Yogapatti, District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate

For the Opposite Party/s : Smt. Anita Kumari (APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

ORAL ORDER

2 28-08-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Nathu Miya, in connection with Yogapatti (Nawalpur) Police Station Case No.136 of 2015, under Sections 147, 148, 149, 323, 324, 447, 448, 325, 380, 436, 427 and 504 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Shailesh Kumar, learned Counsel for the petitioner, and Mrs. Anita Kumari, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that the accused above-named has been in custody since 13.06.2015 in connection with the case

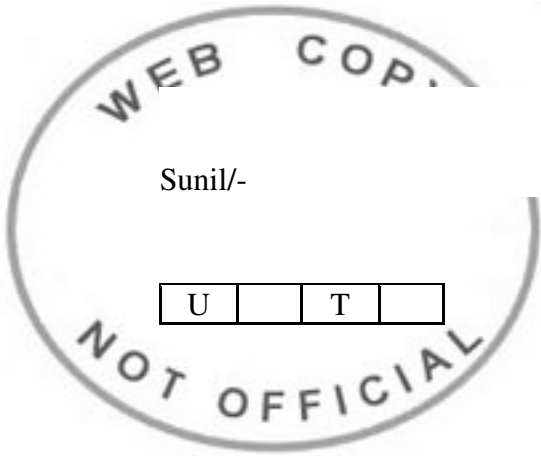


aforementioned and though the case was registered under Section 436 of the Indian Penal Code, no such offence was, according to investigation, found to have been committed by the accused and perusal of the materials available on record does not reveal such incriminating materials, which would warrant further detention of the accused-petitioner in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioner's liberty on bail would adversely affect his trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs.10,000/- with two sureties, each of the like amount, subject to the satisfaction of the learned Judicial Magistrate, 1st Class, West Champaran at Bettiah, in connection with Yogapatti (Nawalpur) Police Station Case No.136 of 2015.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions,

this bail application shall stand disposed of.



Sunil/-

(I. A. Ansari, ACJ)