

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47135 of 2015

Arising Out of PS.Case No. -10 Year- 2015 Thana -C.B.I CASE District- PATNA

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Anil Kumar, son of Sri Jagarnath Prasad, resident of Flat No.- 102, Sri Sai Prakash Enclave, Sahdev Path, Patel Nagar, P.S.- Shastri Nagar, District- Patna.

.... Petitioner/s

Versus

The State of Bihar through Central Bureau of Investigation

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. N. K. Agrawal, Senior Advocate

Mr. Sanjiv Sharan, Advocate

For the Opposite Party : Mr. Sanjay Kumar (SCCBI)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

3 27-10-2015 This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Anil Kumar, in connection with Special Case No.5 of 2015 (RC No.10(A)/15) under Section 7 of the Prevention and Corruption Act, 1988.

Perused the above application and materials on record.

Heard Mr. N. K. Agrawal, learned Senior Counsel, appearing for the petitioner, and Mr. Sanjay Kumar, learned Standing Counsel, appearing for the C.B.I.

In view of the fact that the accused above-named has been in custody since 29.07.2015 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced 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 Special Judge, CBI III, Patna, in connection with Special Case No.5 of 2015 (RC No.10(A)/15).

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.

(I.A. Ansari, ACJ)

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