

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46406 of 2015

Arising Out of PS.Case No. -13 Year- 2015 Thana -HATHAURI District- SAMASTIPUR

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1. Jamun Sharma @ Yamun Sharma, Son of Lakshmi Sharma, Resident of village- Gamhariya, P.S.- Hathouri, (Shivajee Nagar O.P.), District- Samastipur (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad (APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 15-10-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Jamun Sharma @ Yamun Sharma, in connection with Hathouri (Shivajee Nagar O.P.) Police Station Case No. 13 of 2015, under Sections 304B/201/34 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Vinay Kumar Mishra, learned Counsel for the petitioner, and Mr. Jagdhar Prasad, learned Additional Public Prosecutor, appearing on behalf of the State.

It is submitted on behalf of the petitioner that he is relative of the husband of the deceased.



From perusal of the materials on record what transpires is that upon investigation police submitted the final form in Hathouri (Shivajee Nagar O.P.) Police Station Case No. 13 of 2015 aforementioned. The learned court below has taken cognizance of the offences and pursuant to the processes issued, the petitioner has been taken into custody on 12.8.2015.

In view of the fact that the accused above-named has been in custody since 12.8.2015 in connection with the case aforementioned and the petitioner is the relative of the husband of the deceased 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 Sri D. Srivastava, learned Judicial Magistrate, 1st Class, Rosera, in connection with Hathouri (Shivajee Nagar O.P.) Police Station Case No. 13 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.

(I.A. Ansari, ACJ)

K.C.jha/-

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