

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45982 of 2014

Arising Out of PS.Case No. -152 Year- 2014 Thana -KHARAGPUR District- MUNGER

1. Santosh Kumar Son of Lakhan Bind Resident of village - Fasiyabad, P.S. Kharagpur, District - Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.47473 of 2014

Arising Out of PS.Case No. -152 Year- 2014 Thana -KHARAGPUR District- MUNGER

1. Akhilesh Kumar @ Akhalesh Kumar Son of Jai Narayan Singh, Resident of Village - Raghunathpur, Police Station - Bariarpur, District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.45982 of 2014)

For the Petitioner/s : Mr. Ambika Bhagat

For the Opposite Party/s : Mr. Indra Kumar Singh(App)

(In Cr.Misc. No.47473 of 2014)

For the Petitioner/s : Mr. Ram Sevak Choudhary

For the Opposite Party/s : Mr. Arun Kr.Pandey(App)

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

3 03-03-2015 These are applications, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioners, namely, Santosh Kumar and Akhilesh Kumar, in connection with Kharagpur Police Station Case No. 152 of 2014, under Sections 364(A) and 120(B) of the Indian Penal Code.

Perused the above applications and materials on record. Also perused the relevant case diary.

Heard learned Counsel for the parties concerned.

It is submitted on behalf of the accused-petitioners that charge sheet having been filed, the case has been split up from the remaining absconding co-accused and the charge has already been framed against them.

It is in the backdrop of the above fact that the present applications for bail require consideration.

In view of the fact that the accused, Santosh Kumar, has been in custody since 09.07.2014, and accused, Akhilesh Kumar, has been in custody since 19.06.2014, in connection with the case aforementioned and perusal of the materials available does not reveal such incriminating materials, which would warrant further detention of the accused-petitioners in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioners' liberty on bail would adversely affect their 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, each of the like amount, subject to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sadar Munger, in connection with Kharagpur Police Station Case No. 152 of 2014.

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, these bail applications shall stand disposed of.

(I. A. Ansari, J.)

Prabhakar Anand/-

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