

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47169 of 2015

Arising Out of PS.Case No. -79 Year- 2015 Thana -KORHA District- KATIHAR

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1. Sunder Mahaldar @ Sundar Mahaldar, Son of late Munshi Mahaldar
2. Dharmendra Mahaldar, Son of Sunder Mahaldar @ Sundar Mahaldar,
Both resident of Village Madhura P.S Korha, District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Adv.

For the Opposite Party/s : Mr. Binod Kumar 2 (App)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 16-10-2015

Learned counsel for the petitioners seeks permission

to withdraw this application with regard to petitioner No.1.

No objection has been raised to the prayer for
withdrawal made by the petitioner.

In view of above and in the interest of justice, the
application is hereby disposed of as withdrawn with regard to
petitioner No.1.

This is an application, made under Section 439 of
the Code of Criminal Procedure, seeking bail for the accused-
petitioner No.2, namely, Dharmendra Mahaldar, in connection
with Korha Police Station Case No. 79 of 2015, under Sections
147/148/149/323/324/341/342/307/504/506 of the Indian Penal
Code.

Perused the above application and materials on record.

Heard Mr. Bimal Kumar, learned Counsel for the petitioner, and Mr. Binod Kumar-2, 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 7.5.2015 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 learned Chief Judicial Magistrate, Katihar, in connection with Korha Police Station Case No. 79 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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