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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47254 of 2015

Arising Out of PS.Case No. -204 Year- 2015 Thana -AMARPUR District- BANKA

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1. Kailash Sharma, son of Late Chhanguri Sharma, resident of Village- Anandipur (Navtolia), P.S. Amarpur, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Pravin Kumar Sinha, Adv.
For the Opposite Party/s : Dr. Ajit Kumar (APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 16-10-2015 This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Kailash Sharma, in connection with Amarpur Police Station Case No. 204 of 2015, G.R. No.1436 of 2015, under Section 302 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Pravin Kumar Sinha, learned Counsel for the petitioner, and Dr. Ajit Kumar, learned Additional Public Prosecutor, appearing on behalf of the State.

It is submitted on behalf of the petitioner that the injury does not support the description of assault and *charge*

sheet has been submitted in the case.

In view of the fact that the accused above-named has been in custody since 4.7.2015 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, Banka, in connection with Amarpur Police Station Case No. 204 of 2015, G.R. No.1436 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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