

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48076 of 2015**

Arising Out of PS.Case No. -174 Year- 2006 Thana -BAHERA District- DARBHANGA

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Rajendra Prasad, S/o Budhi Nath Yadav, Resident of Village- Laxmanpur,  
P.S.- Bahera, District- Darbhanga.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jyoti Ranjan Jha, Advocate

For the Opposite Party/s : Mr. Satyavrat Verma (APP)

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE**  
**ORAL ORDER**

2 23-11-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Rajendra Prasad, in connection with Bahera Police Station Case No.174 of 2006, under Sections 323/302/504/307/34 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Jyoti Ranjan Jha, learned Counsel, appearing for the petitioner, and Mr. Satyavrat Verma, 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 15.09.2015 in connection with the case aforementioned and *charge sheet* has been submitted in this case and there is no injury commensurate with the nature of



assault, which had been allegedly sustained by the deceased, and similarly situated co-accused has been granted bail by a Bench of this Court by the order, dated 27.04.2010, passed in Cr. Misc. No.10193 of 2010, perusal of the materials available 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 Additional Chief Judicial Magistrate, Benipur, District-Darbhanga, in connection with Bahera Police Station Case No.174 of 2006.

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)**

Sunil/-

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