

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48799 of 2015

Arising Out of PS.Case No. -209 Year- 2015 Thana -GARKHA District- SARAN

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Nitesh Kumar Singh, Son of Kameshwar Singh, resident of village -
Kadana (South), P.S. - Garkha, District - Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh (APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 24-11-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Nitesh Kumar Singh, in connection with Garkha Police Station Case No.209 of 2015, under Section 376 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Mukesh Kumar Singh, learned Counsel, appearing for the petitioner, and Mr. Shyam Bihari Singh, 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 19.08.2015 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced, coupled with the fact that 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 learned A.C.J.M. 5th, Saran, Chapra, in connection with Garkha Police Station Case No.209 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)

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