

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45696 of 2014

Arising out of Makhdumpur PS.Case No. 215 of 2014 Thana –
MAKHDUMPUR, District- JEHANABAD

- =====
1. Md. Nessar Son of Md. Shahid Alam, resident of village- Angra, P.S.- Dobhi, District- Patna
 2. Jay Ram Yadav, Son of Late Shyamdev Yadav, Resident of village- Ghujji, P.S.- Sherghati, District- Gaya

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Phulen Yadav

For the Opposite Party/s : Mr. Hirday Pd. Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI
ORAL ORDER

2 11-02-2015 This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail by the accused-petitioners, namely, 1) Md. Nessar and 2) Jay Ram Yadav, in connection with Makhdumpur P. S.Case No. 215 of 2014, under Sections 414/307 of the Indian Penal Code and Section 25(1-b)/a/26(ii)/27/35 of the Arms Act, 1959.

Perused the above application and materials on record.

Heard Mr. Phulen Yadav, learned counsel for the petitioners, and Mr. Hirday Pd. Singh, learned APP, appearing on behalf of the State.

In view of the fact that the accused above-named have been in custody since 28.08.2014 in connection with the case

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aforementioned and co-accused, Amjad Alam, has already been released on bail pursuant to the order, dated 05.01.2015, passed, in Cr.Misc.No. 51984 of 2014, by a Bench of this Court 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 of the like amount, subject to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad. 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 directions, this bail application shall stand disposed of.

(I. A. Ansari, J)

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