

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47362 of 2015

Arising Out of PS.Case No. -324 Year- 2015 Thana -BIRAUL District- DARBHANGA

1. Mukesh Kumar, Son of Bisheshwar Rai, Resident of village - Shumha,
P.S. Singhia, District - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.49166 of 2015

Arising Out of PS.Case No. -324 Year- 2015 Thana -BIRAUL District- DARBHANGA

1. Baidyanath Sahni, Son of Ram Prasad Sahni, Resident of village -
Supaul, Bus Stand, P.S. Biraul, District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.47362 of 2015)

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

For the Opposite Party/s : Mr. A.M.P.Mehta(APP)

(In Cr.Misc. No.49166 of 2015)

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

For the Opposite Party/s : Mr. B.M.P.Sinha (APP)

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 30-10-2015 This is an application, made under Section 439 of

the Code of Criminal Procedure, seeking bail for the accused-

petitioners, namely, Mukesh Kumar and Baidyanath Sahni , in

connection with Biraul Police Station Case No. 324 of 2015,

under Sections 302/328/201/34 of the Indian Penal Code.

Perused the above application and materials on

record.

Heard Mr. Santosh Kumar, learned Counsel for the petitioners, and Mr. A.M.P. Mehta and Mr. B.M.P. Sinha, learned Additional Public Prosecutors, appearing on behalf of the State, in Cr. Misc. No.47362 of 2015 and Cr. Misc. No.49166 of 2015 respectively.

In view of the fact that the accused above-named have been in custody since 1.8.2015 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and perusal of the materials available 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, each of the like amount, subject to the satisfaction of the learned Additional Chief Judicial Magistrate, Biraul, District Darbhanga, in connection with Biraul Police Station Case No. 324 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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