

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48749 of 2015

Arising Out of PS.Case No. -346 Year- 2015 Thana -MOHANIA District- BHABHUA (KAIMUR)

- =====
1. Madan Singh, son of Albela Singh, resident of village- Chouti, P.S.- Bhabua, Dist- Kaimur (Bhabua), at present resident of village- Mohania, P.S.- Mohania, Dist- Kaimur (Bhabua)
 2. Naushad Khan, son of Bari Khan, resident of village- Jamodiya, P.S.- Aayash, Dist- Gaya
 3. Bijli Sahni @ Bijli Saini, son of Jamadar Sahni, resident of village- Pagahiya Aima, P.S.- Saraiya (Jaitpur), District- Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Bindhyakeshari Kumar, Senior Advocate
Mr. Satyendra Narayan Singh, Advocate
For the Opposite Party : Smt. Sharda Kumari (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-petitioners, namely, Madan Singh, Naushad Khan and Bijli Sahni @ Bijli Saini, in connection with Mohaniya Police Station Case No.346 of 2015 under Sections 406/420/386/34 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Vindhyakeshari Kumar, learned Senior Counsel, for the petitioners, and Mrs. Sharda Kumari, learned Additional Public Prosecutor, appearing on behalf of the State.



In view of the fact that the accused above-named have been in custody since 14.09.2015 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-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/- each with two sureties, each of the like amount, subject to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhahbua, in connection with Mohaniya Police Station Case No.346 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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