

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48776 of 2015

Arising Out of PS.Case No. -253 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Bindeshwari Sahni @ Bindeshwari Sahani son of Late Thakuri Sahani,
resident of village- Bardanha, P.S. Muffasil, District- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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With
Criminal Miscellaneous No.48923 of 2015

Arising Out of PS.Case No. -253 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Dasai Sahni @ Dasai Sahani Son of Late Lotan Sahani, resident of village -
Bardanha Tola Pipariya, P.S. - Muffasil, District – East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.48776 of 2015)

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar (APP)

(In Cr.Misc. No.48923 of 2015)

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar (APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 24-11-2015 Both these applications are made under Section 439

of the Code of Criminal Procedure, seeking bail for the accused-
petitioners, namely, Bindeshwari Sahni @ Bindeshwari Sahani,
in Cr. Misc. No.48776 of 2015, and Dasai Sahni @ Dasai Sahani,
in Cr. Misc. No.48923 of 2015, in connection with Muffasil
Police Station Case No.253 of 2015, under Sections 272/273 of
the Indian Penal Code and Section 47A of the Bihar Excise Act,

1915.

Perused the above applications and materials on record.

Heard learned Counsel for the petitioners and 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 23.08.2015 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-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 learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Motihari Muffasil Police Station Case No.253 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, both these bail applications shall stand disposed of.

(I.A. Ansari, ACJ)

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