

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46025 of 2014

Arising Out of PS.Case No. -563 Year- 2014 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sanjay Kumar S/o Late Jhakri Sahani
 2. Upendra Kumar S/o Thakur Sahani
 3. Baleshwar Sahani S/o Late Ramashray Sahani
 4. Prem Kumar S/o Singhasan Sahani
 5. Devendra Sahani S/o Bhagwan Sahani
- All of Vill. - Barharwa, P.S. - Motihari Muffasil, Dist. - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. Nawal Kishore Prasad (App)

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

3 03-03-2015 This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioners, namely, Sanjay Kumar, Upendra Kumar, Baleshwar Sahani, Prem Kumar and Devendra Sahani, in connection with Motihari Town Police Station Case No. 563 of 2014, under Sections 409/420/120B/34 of the Indian Penal Code.

Perused the above application and materials on record. Also perused the relevant case diary.

Heard Mr. Sangeet Deokuliar, learned Counsel for the petitioner, and Mr. Nawal Kishore Prasad, learned Additional Public Prosecutor, appearing on behalf of the

State.

It is submitted on behalf of the accused-petitioners that co-accused, Ram Ayodhya Singh, has been granted bail by this Court, by order, dated 15.01.2015, passed in Criminal Misc. No. 1232 of 2015.

In view of the fact that the accused above-named have been in custody since 21.08.2014 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-petitioner's 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 Chief Judicial Magistrate, Motihari, East Champaran, in connection with Motihari Town Police Station Case No. 563 of 2014.

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, J.)

Prabhakar Anand/-

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