

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1133 of 2015

Arising Out of Kharagpur PS.Case No. 152 of 2014 Thana –
KHARAGPUR, District- MUNGER

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1. Wakil Kumar Son of Sanjay Singh, Resident of Village-Fasiya Bad,P.S-
Kharagpur,Distt.-Munger

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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With
Criminal Miscellaneous No.2690 of 2015

Arising Out of Kharagpur PS.Case No.152 of 2014 Thana -KHARAGPUR
District- MUNGER

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1. Raja Paswan Son of Ashok Paswan Resident of vill-Gobadda,P.S-
Kharagpur,Distt.-Munger

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :
(In Cr.Misc. No.1133 of 2015)
For the Petitioner : Mr. Ajit Kumar Singh
For the Opposite Party : Mr. Anita Kumari(APP)
(In Cr.Misc. No.2690 of 2015)
For the Petitioner : Mr. Sanjiv Kumar Singh
For the Opposite Party : Mr. Dr. Ajit Kumar(APP)

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

5 29-04-2015 These are applications, made under Section 439
of the Code of Criminal Procedure, seeking bail for the
accused-petitioners, namely, Wakil Kumar and Raja Paswan,
in connection with Kharagpur Police Station Case No. 152 of
2014, under Sections 364(A) and 120(B) of the Indian Penal

Code.

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

Heard Mr. Ajit Kumar Singh, learned counsel for the petitioner in Cr.Misc.No. 1133 of 2015 and, Mr. Sanjiv Kumar Singh, learned counsel for the petitioner in Cr.Misc.No. 2690 of 2015. Also heard Dr. Ajeet Kumar, learned Additional Public Prosecutor, appearing for the State.

It is submitted, on behalf of the accused-petitioners, that *charge sheet* having been filed, the case has been split up from the remaining absconding co-accused and the charge has already been framed against the accused-petitioners.

It is submitted by the learned counsel for the parties that similarly situated co-accused persons have been allowed bail pursuant to the order, dated 03.03.2015, passed in Cr.Misc.Nos. 45982 of 2014 and 47473 of 2014.

It is in the backdrop of the above facts that the present applications for bail require consideration.

In view of the fact that the accused, Wakil Kumar, has been in custody since 19.06.2014, and accused, Raja Pawas, has been in custody since 04.09.2014, in connection with the case aforementioned 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 Sub-Divisional Judicial Magistrate, Sadar Munger, in connection with Kharagpur Police Station Case No. 152 of 2014.

The above 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, these bail applications shall stand disposed of.

(I. A. Ansari, J)

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