

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35407 of 2015

Arising Out of Planwa PS.Case No. -19 of 2015 Thana –
PALANWA, District- EASTCHAMPARAN(MOTIHARI)

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1. GOBARDHAN MAHTO S/o Late Bachan Mahto, Resident of village-
Kharkatwa, P.S.- Palanwa, Dist. East Champaran

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Ambika Bhagat (Spl.APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 26-08-2015 This is an application, made under Section 439 of the

Code of Criminal Procedure, seeking bail for the accused-
petitioner, namely, Gobardhan Mahto, in connection with Planwa
Police Station Case No. 19 of 2015, under Sections 302/34 of the
Indian Penal Code and Section 3(2)(v) of the S.C./S.T.Act.

Perused the above application and materials on
record.

Heard Mr. Ajay Kr.Singh, learned Counsel for the
petitioner, and Mr. Ambika Bhagat, learned Special Additional
Public Prosecutor, appearing on behalf of the State.

In view of the fact that the accused above-named has
been in custody since 02.06.2015 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-petitioner 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 his 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 of the like amount, subject to the satisfaction of Sri N.K.Priyadarshi, the learned Judicial Magistrate, 1st Class, Raxaul at Motihari East Champaran, in connection with Planwa Police Station Case No. 19 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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