

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46377 of 2015

Arising Out of PS.Case No. -500 Year- 2015 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Fakhruddin Hawari, Son of Md. Vakil Mian, Resident of Village- Balua
Gopalpur, P.S. Town Motihari, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Adv.

For the Opposite Party/s : Mr. H.A.Khan(APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 15-10-2015

This is an application, made under Section 439 of
the Code of Criminal Procedure, seeking bail for the accused-
petitioner, namely, Fakhruddin Hawari, in connection with
Motihari Town Police Station Case No. 500 of 2015, under
Sections 413/414/34 of the Indian Penal Code.

Perused the above application and materials on
record.

Heard Mr. Surendra Kishore Thakur, learned
Counsel for the petitioner, and Mr. H.A. Khan, learned
Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that the accused above-named
has been in custody in this case since 27.7.2015 in connection
with the case aforementioned and similarly situated co-accused
has been granted bail by a Bench of this Court by the order,
dated 5.10.2015, passed in Cr. Misc. Nos.46524 of 2015,

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 the learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Motihari Town Police Station Case No. 500 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)

K.C.jha/-

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