

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46308 of 2015

Arising Out of PS.Case No. -40 Year- 2015 Thana -KURSAKANTA District- ARRARIA

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1. Mir Asima Asma @ Mir Yashin @ Mir Ashim @ Ashma @ Mir Ashina
son of late Mir Sadikul, resident of village- Basantpur, Police Station-
Araria, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate.

For the Opposite Party/s : Smt. Suman Kumari Singh (APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 12-10-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Mir Asima Asma @ Mir Yashin @ Mir Ashim @ Ashma Mir Ashina, in connection with Special Case No.2 of 2015, arising out of Kursakanta (Kuwari) Police Station Case No. 40 of 2015, under Sections 21/22/23 of the N.D.P.S. Act, 1985.

Perused the above application and materials on record.

Heard Mr. Mukesh Kumar Rana, learned Counsel for the petitioner, and Smt. Suman Kumari, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that the accused above-named has been in custody since 08.04.2015 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 10.08.2015, passed in Cr. Misc. No.28962 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 1st Additional Sessions Judge-cum-Special Judge, Araria, in connection with Special Case No. 2 of 2015, arising out of Kursakanta (Kuwari) Police Station Case No. 40 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.)

Mkr./-

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