

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48790 of 2015

Arising Out of PS.Case No. -283 Year- 2015 Thana -CIVIL LINE District- GAYA

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Rakesh Kumar, Son of Ram Krishna Narain Sinha, resident of village -
Ghughari Tand, P.S. - Vishnupad, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Superintendent of Police Vigilance Investigation Bureau, Patna, Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pathak Dhananjay Kumar, Advocate

For the Opposite Party/s : Mr. Ashraf Ansari (APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

ORAL ORDER

2 24-11-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Rakesh Kumar, in connection with Gaya Civil Lines Police Station Case No.283 of 2015, under Sections 419 and 420 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Pathak Dhananjay Kumar, learned Counsel, appearing for the petitioner, and Mr. Ashraf Ansari, 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 25.08.2015 in connection with the case aforementioned and though *charge sheet* has been submitted,

trial has not yet commenced, coupled with the fact that 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 learned Chief Judicial Magistrate, Gaya, in connection with Civil Lines Police Station Case No.283 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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