

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47234 of 2015

Arising Out of PS.Case No. -109 Year- 2015 Thana -KATIHAR District- KATIHAR

1. Md. Islam, Son of Moej @ Moju, Resident of village- Imligachh
Kadampur, Police Station- Katihar Town, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad (App)

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 16-10-2015 This is an application, made under Section 439 of
the Code of Criminal Procedure, seeking bail for the accused-
petitioner, namely, Md. Islam, in connection with Katihar Town
Police Station Case No. 109 of 2015, under Sections 324/307/34
of the Indian Penal Code.

Perused the above application and materials on
record.

Heard Mr. Awadhesh Kumar Mishra, learned
Counsel for the petitioner, and Mr. Jagdhar Prasad, learned
Additional Public Prosecutor, appearing on behalf of the State.

It is submitted that the injury alleged to have been
caused is on the knee.



In view of the fact that the accused above-named has been in custody since 30.7.2015 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and perusal of the materials available on record 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, Katihar, in connection with Katihar Town Police Station Case No. 109 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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