

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47907 of 2015

Arising Out of PS.Case No. -318 Year- 2015 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Nesar Ansari @ Nesar Mian Son of Abdul Sattar, Resident of Village -
Idgah Tola, Bagaha, P.S. - Bagaha, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baxi S.R.P. Sinha, Sr. Advocate
Mr. Vijay Kr Singh No. 1, Adv.

For the Opposite Party/s : Mr. Ashok Kumar (APP)

For the Informant : Mr. A. Choudhary, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

ORAL ORDER

4 03-12-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Nesar Ansari @ Nesar Mian, in connection with Bagaha Police Station Case No. 318 of 2015, under Sections 341/323/324/325/379/386 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Vijay Kumar Singh No.I, learned Counsel for the petitioner, and Mr. Sakir Ahmad, learned Additional Public Prosecutor, appearing on behalf of the State. Heard also Mr. A. Choudhary, learned Counsel, appearing on behalf of the Informant.

In view of the fact that the accused above-named has been in custody since 04.08.2015 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 the learned Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with Bagaha Police Station Case No. 318 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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