

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47288 of 2015

Arising Out of PS.Case No. -241 Year- 2015 Thana -GORAUL District- VAISHALI(HAJIPUR)

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1. Shiv Bachchan Kumar, Son of Sanjay Mahto @ Pramod Mahto,
Resident of village - Jahangirpur Salkhani, P.S. Mahua, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Adv.

For the Opposite Party/s : Mr. S.N.Shukla (App)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

3 29-10-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Shiv Bachchan Kumar, in connection with Goraul (O.P. Khatarra) Police Station Case No. 241 of 2015, under Section 414 of the Indian Penal Code and Sections 25(1-b)(a)/26/35 of the Arms Act, 1959.

Perused the above application and materials on record.

Heard Mr. Mukesh Kumar, learned Counsel for the petitioner, and Mr. S.N. Shukla, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that the accused above-named have been in custody since 31.7. 2015 in connection with the case



aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and similarly situated co-accused Sanjeev Kumar and Rahul Kumar have been granted bail by learned court below by order, dated 16.09.2015, passed in B.P. No.894 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 their 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 Sub-Divisional Judicial Magistrate, Vaishali at Hajipur, in connection with Goraul (O.P. Khatar) Police Station Case No. 241 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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