

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48811 of 2015

Arising Out of PS.Case No. -152 Year- 2015 Thana -CHAPRA MUFFASIL District- SARAN

- =====
1. Rahul Kumar, Son of Jaipal Rai, Resident of Village - Chota Telpa, Police Station - Chapra Town, District - Saran at Chapra.
 2. Shankar Kumar, Son of Motilal Sah, Resident of Mohalla - Katahari Bagh, Police Station - Chapra Town, District - Saran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. C.Jawahar (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-petitioners, namely, Rahul Kumar and Shankar Kumar, in connection with Chapra Muffasil Police Station Case No.152 of 2015, under Sections 414/120B/34 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Ravi Shanker Pankaj, learned Counsel, appearing for the petitioners, and Mr. C. Jawahar, 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 24.08.2015 in connection with the case aforementioned, *charge sheet* has been submitted and similarly situated co-accused has been granted bail by a Bench of this Court by the order, dated 22.09.2015, passed in Cr. Misc.

No.43842 of 2015, coupled with the fact that perusal of the materials available does not reveal such incriminating materials, which would warrant further detention of the accused-petitioners in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioners' 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/- each with two sureties, each of the like amount, subject to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Chapra Muffasil Police Station Case No. 152 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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