

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48801 of 2015

Arising Out of PS.Case No. -200 Year- 2015 Thana -HISUA District- NAWADA

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Krishna Kumar, Son of Ratan Sao, Resident of Village - Bhadauni, P.S. & District - Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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With

Criminal Miscellaneous No.49923 of 2015

Arising Out of PS.Case No. -200 Year- 2015 Thana -HISUA District- NAWADA

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Sudama Kumar, Son of late Bacchu Pawan, Resident of Village- Griyak, P.s Griyak, District Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.48801 of 2015)

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Smt. Anita Kumari (APP)

(In Cr.Misc. No.49923 of 2015)

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Nityanand Tiwary (APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 24-11-2015

Both these applications are made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioners, namely, Krishna Kumar, in Cr. Misc. No.48801 of 2015, and Sudama Kumar, in Cr. Misc. No.49923 of 2015, in connection with Hisua Police Station Case No.200 of 2015, under Sections 414 and 420 of the Indian Penal Code.

Perused the above applications and materials on record.

Heard learned Counsel for the petitioners and 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 13.08.2015 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced, coupled with the fact that on 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, Nawada, in connection with Hisua Police Station Case No.200 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, both these bail applications shall stand disposed of.

(I.A. Ansari, ACJ)

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