

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35393 of 2015

Arising Out of PS.Case No. -31 Year- 2010 Thana -BELSAND District- SITAMARHI

1. Indal Sahni S/O Late Basudeo Sahni
2. Mulhai Chaudhary S/o Lal Babu Chaudhary, Both Resident of village-
Belsand, P.S.- Belsand, District- Sitamarhi

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mrs. Anjum Perveen, Advocate

For the Opposite Party : Mr. Anil Kr. Singh No.1, APP

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

ORAL ORDER

2 26-08-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioners, namely, Indal Sahni and Mulhai Chaudhary, in connection with Belsand Police Station Case No. 31 of 2010, under Sections 147/148/149/34/342/447/448/323/427/435 332/337/333/53/185/307/395 of the Indian Penal Code, Section 27 of the Arms Act, 1959 and Section 17 of the C.L.A. Act.

Perused the above application and materials on record.

Heard Mrs. Anjum Praveen, learned Counsel for the petitioner, and Mr. Anil Kumar Singh No.1, learned Additional Public Prosecutor, appearing on behalf of the State.

It is submitted, on behalf of the accused-

petitioners, that some of the co-accused have already been granted bail.

In view of the fact that the accused above-named have been in custody since 05.01.2015 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-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/- with two sureties, each of the like amount, subject to the satisfaction of the learned A.D.J.-II, Sitamarhi, in connection with Belsand Police Station Case No. 31 of 2010.

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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