

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35764 of 2015

Arising Out of PS.Case No. -60 Year- 2014 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Nanhak Bhagat @ Nannak Bhagat S/o Vir Samsher Bhagat r/o Shyampur
P.s. Adapur, Dist. E. Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Adv.

For the Opposite Party/s : Mr. Gajendra Pd.Yadav(App)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 28-08-2015 This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Nanhak Bhagat @ Nannak Bhagat, in connection with Adapur Police Station Case No. 60 of 2014, arising out of Tr. No.1121/14, under Sections- 25(1-B)A, 26 and 35 of the Indian Arms Act.

Perused the above application and materials on record.

Heard Mr. Dhananjay Kumar (No.2), learned Counsel for the petitioner, and Mr. Gajendra Prasad Yadav, learned Additional Public Prosecutor, appearing on behalf of the State.

It is submitted on behalf of the petitioner that

though allegation is there, nothing has been recovered from his possession.

In view of the fact that the accused above-named has been in custody since 29.05.2015 in connection with the case aforementioned and charge sheet has been submitted, trial has not yet commenced and 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 available on record 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 Judicial Magistrate, 1st Class, Raxaul at Motihari, East Champaran, in connection with Adapur Police Station Case No. 60 of 2014, arising out of Tr. No.1121/14.

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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