

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35737 of 2015

Arising Out of PS.Case No. -12 Year- 2015 Thana -SAKARPUR District- DARBHANGA

1. Md. Munna Khan @ Munna Khan, Son of Tamanna Khan, resident of
Mohalla- Katrahiya, P.S.- Sadar, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha, Adv.

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

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, Md. Munna Khan @ Munna Khan, in connection with Sakatpur Police Station Case No. 12 of 2015, under Sections- 20, 21, 22 and 23 of the N.D.P.S. Act.

Perused the above application and materials on record.

Heard Mr. Pankaj Kumar Jha, learned Counsel for the petitioner, and Mr. S.Ehteshamuddin, learned Additional Public Prosecutor, appearing on behalf of the State.

It is submitted on behalf of the petitioner that the seized item was not recovered from his physical possession and that similarly situated co-accused have already been granted bail

in Cr. Misc. Nos.23920/2015 and 25941/2015, vide order dated 14.07.2015.

In view of the fact that the accused above-named has been in custody since 26.02.2015 in connection with the case aforementioned 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 Special Judge-cum- Additional District and Sessions Judge-III, Darbhanga, in connection with Sakatpur Police Station Case No. 12 of 2015, corresponding to G.O. Case No. 14/2015/07/2015.

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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