

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47199 of 2015

Arising Out of PS.Case No. -84 Year- 2015 Thana -NANHPUR District- SITAMARHI

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1. Ganpat Sahni S/o Late Banshi Sahni
2. Jagarnath Singh @ Jagarnath Ray S/o Narayan Singh @ Narayan Ray
Both are Resident of Village-Harnahi, P.S.-Sheohar, District-Sheohar.
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv.
For the Opposite Party/s : Mr. A. Dayal(App)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

4 29-10-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioners, namely, Ganpat Sahni and Jagarnath Singh @ Jagarnath Ray, in connection with Nanpur Police Station Case No. 84 of 2015, under Sections 395 of the Indian Penal Code and Sections 3/4 of Explosive Substances Act.

Perused the above application and materials on record.

Heard Mr. Uday Kumar, learned Counsel for the petitioners, and Mr. A. Dayal, 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 9.7. 2015 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and similarly situated co-accused has

been granted bail by a Bench of this Court by the order, dated 24.07.2015, passed in Cr. Misc. No.26030 of 2015, 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/- with two sureties each, each of the like amount, subject to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Pupri, at Sitamarhi, in connection with Nanpur Police Station Case No. 84 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)

K.C.jha/-

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