

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48059 of 2015

Arising Out of PS.Case No. -74 Year- 2015 Thana -SURSAND District- SITAMARHI

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1. Shyam Rai @ Shyam Chandra Rai S/o Late Ram Daresh Rai resident of
Village- Mahuayeen, P.S.- Bajpatti, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Narsing Tanti(APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 10-11-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Shyam Rai @ Shyam Chandra Rai, in connection with Sursand Police Station Case No. 74 of 2015, under Section 395 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Pramod Kumar Singh, learned Counsel for the petitioner, and Mr. Narsing Tanti, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that the accused above-named has been in custody since 17.04.2015 in connection with the case aforementioned and similarly situated co-accused has been granted bail by a Bench of this Court by the order, dated 23.07.2015, passed in Cr. Misc. No.25593 of 2015, 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 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 Chief Judicial Magistrate, Sitamarhi, in connection with Sursand Police Station Case No. 74 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.)

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