

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48757 of 2015

Arising Out of PS.Case No. -391 Year- 2014 Thana -BALIA District- BEGUSARAI

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Chandan Rai S/o Umesh Rai R/o Vill.- Bhagatpur, P.S.- Ballia, Dist.- Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shubhesh Pandey, Advocate

For the Opposite Party : Mrs. Asha Kumari, APP

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

ORAL ORDER

4 01-12-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Chandan Rai, in connection with Balia Police Station Case No. 391 of 2014, under Sections 447/341/323/307/34 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Shubhesh Pandey, learned Counsel for the petitioner, and Mrs. Asha Kumari, 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 19.02.2015 in connection with the case aforementioned coupled with the fact that the medical report does not support the version of the first informant and the ocular

evidence 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 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, Begusarai, in connection with Balia Police Station Case No. 391 of 2014.

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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