

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48773 of 2015

Arising Out of PS.Case No. -93 Year- 2015 Thana -PATNA GRP CASE District- PATNA

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Chhotu Kumar @ Chotu Kumar, Son of late Binod Sah, Resident of
Makasaspur Dhobi Tola P.S Kasim Bazar, District Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Gajendra Prasad Yadav (APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 24-11-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Chhotu Kumar @ Chotu Kumar, in connection with G.R.P. Patna Case No.93 of 2015, under Sections 25(1-b) A/26/35 of the Arms Act.

Perused the above application and materials on record.

Heard Mr. Ajit Kumar Singh, learned Counsel, appearing for the petitioner, and Mr. Gajendra Prasad Yadav, 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 13.03.2015 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced, coupled with the fact that 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 learned Railway Judicial Magistrate, Patna, in connection with G.R.P.Patna Case No.93 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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