

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47842 of 2015

Arising Out of PS.Case No. -175 Year- 2015 Thana -DAGARUA District- PURNIA

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Md. Majhar, son of Md. Shafique, Resident of village - Mirka tola Dagarua,
P.S. - Dagarua, District - Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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With
Criminal Miscellaneous No.51337 of 2015

Arising Out of PS.Case No. -175 Year- 2015 Thana -DAGARUA District- PURNIA

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Rakesh Kumar Yadav @ Rakesh Kumar, son of Ramanand Yadav @
Khokha Yadav, Resident of Village- Garhia Bisanpur, P.S. K. Nagar,
District- Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.47842 of 2015)

For the Petitioner/s : Mr. Nadimul Hasan, Advocate

For the Opposite Party/s : Mr. Shailendra Kr. 1(APP)

(In Cr.Misc. No.51337 of 2015)

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

For the Opposite Party/s : Mr. Ganesh Pd.Singh (APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 05-11-2015

Both these applications are made under Section 439

of the Code of Criminal Procedure, seeking bail for the accused-
petitioners, namely, Md. Majhar, in Cr. Misc. No.47842 of 2015,
and Rakesh Kumar Yadav @ Rakesh Kumar, in Cr. Misc.
No.51337 of 2015, in connection with Dagarua Police Station
Case No.175 of 2015, under Section 395 of the Indian Penal

Code.

Perused the above applications and materials on record.

Heard learned Counsel for the petitioners and 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 08.08.2015 in connection with the case aforementioned on the basis of the confessional statement allegedly made by the co-accused, namely, Sudhir Kumar Yadav, to the police and nothing has been recovered from their possessions, coupled with the fact that on 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/- each with two sureties, each of the like amount, subject to the satisfaction of learned Judicial Magistrate, 1st Class, Purnea, in connection with Dagarua Police Station Case No.175 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, both these bail applications shall stand disposed of.

(I.A. Ansari, ACJ)

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