

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35548 of 2015

Arising Out of Kiul Rail PS.Case No. -40 of 2015 Thana -RAIL
District- LAKHISARAI

- =====
1. MD. PARWEZ @ MD FIROZ, son of Md. Rafique Miyan @ Md. Rashid, resident of Village -Gondapur, P.S. Nawada(Town), District Nawada.
 2. Md. Pappu, son of Md. Aalam, resident of Village -Gondapur, P.S. Nawada(Town), District Nawada.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Rajeev Nayan
For the Opposite Party : Mr. Yogendra Kr.Singh(APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 26-08-2015 This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioners, namely, Md. Parwez @ Md. Firoz and Md. Pappu, in connection with Kiul Rail Police Station Case No. 40 of 2015, under Sections 379/411 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Rajeev Nayan, learned Counsel for the petitioners, and Mr. Yogendra Kumar Singh, 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 27.04.2015 in connection with the case

aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and perusal of the materials available on record 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 of the like amount, subject to the satisfaction of the learned Railway Judicial Magistrate, Kiul, in connection with Rail Kiul Police Station Case No. 40 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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