

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45284 of 2014

Arising Out of PS.Case No. -30 Year- 2013 Thana -RASULPUR District- SARAN

1. Niraj Kumar Singh, son of Awadh Kishore Singh
2. Gyanti Devi, wife of Awadh Kishore Singh
Both resident of village Dohar, P.S.- Rasulpur, District Saran

.... .. Petitioner/s

Versus

The State of Bihar

.... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Tiwari

For the Opposite Party/s : Mr. Parmanand Prasad (App)

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI
ORAL ORDER

4 03-03-2015 This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioners, namely, Niraj Kumar Singh and Gyanti Devi, in connection with Rasulpur Police Station Case No. 30 of 2013, under Sections 304B/201/34 of the Indian Penal Code.

Perused the above application and materials on record. Also perused the relevant case diary.

Heard Mr. Rabindra Kumar Tiwari, learned Counsel for the petitioners, and Mr. Parmanand Prasad, learned Additional Public Prosecutor, appearing on behalf of the State.

The petitioner No. 1 is the younger brother of the

husband of the deceased and petitioner No. 2 is the mother-in-law of the deceased.

In view of the fact that the accused above-named have been in custody since 01.09.2014 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and 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/- with two sureties each, each of the like amount, subject to the satisfaction of the learned Chief Judicial Magistrate, Saran, at Chapra, in connection with Rasulpur Police Station Case No. 30 of 2013.

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.

Prabhakar Anand/-

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(I. A. Ansari, J.)