

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45914 of 2014

Arising Out of PS.Case No. -122 Year- 2014 Thana -BARSOI District- KATIHAR

1. Md. Illiyas.
2. Noor Alam both son of Md. Dalil Village - Basalgaon, P.S. - Barsoi, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.47343 of 2014

Arising Out of PS.Case No. -122 Year- 2014 Thana -BARSOI District- KATIHAR

1. Md. Hsibul Son of Md. Dalil resident of Village - Basalgaon, P.S. - Barsoi, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.45914 of 2014)

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Kr.Virendra Narayan(App)

(In Cr.Misc. No.47343 of 2014)

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Ram Chandra Singh(App)

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

3 03-03-2015 These are applications, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioners, namely, Md. Illiyas, Noor Alam and Md. Hsibul, in connection with Barsoi Police Station Case No. 122 of 2014, under Sections 147/149/342/323/325/307/302 of the Indian Penal Code.

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

Heard Mr. Ashok Kumar Mishra, learned Counsel for the petitioner, and Mr. Kumar Veerendra Narayan, 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 07.08.2014 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, Katihar, in connection with Barsoi Police Station Case No. 122 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, these bail applications shall stand disposed of.

(I. A. Ansari, J.)

Prabhakar Anand/-

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