

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35554 of 2015

Arising Out of Kateya PS.Case No. -256 of 2014 Thana -
KATEYA District- GOPALGANJ

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1. Hira Sahni, Son of Depa Lal Sahni R/o Village- Barari, Jagdish, P.S-
Uchka Gaon, District Gopalganj.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh

For the Opposite Party/s : Mr. S.D.Singh Yadav (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-petitioner, namely, Hira Sahni, in connection with Kateya Police Station Case No. 256 of 2014, under Sections 307/394 of the Indian Penal Code and Section 27/25(1-b)/a/26/35 of the Arms Act, 1959.

Perused the above application and materials on record.

Heard Mr. Amit Kumar Rakesh, learned Counsel for the petitioner, and Mr. S.D.Singh Yadav, learned Additional Public Prosecutor, appearing on behalf of the State.

It is submitted on behalf of the accused-petitioner that some of the co-accused has already been granted bail.

In view of the fact that the accused above-named has been in custody since 02.11.2014 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-petitioner in custody, and in view also of the fact that the perusal of the materials available on record 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 the learned Chief Judicial Magistrate, Gopalganj, in connection with Kateya Police Station Case No. 256 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, this bail application shall stand disposed of.

(I.A. Ansari, ACJ)

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