

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47226 of 2015**

Arising Out of PS.Case No. -139 Year- 2013 Thana -MAHESI District-  
EASTCHAMPARAN(MOTIHARI)

=====

Amod Dubey, son of Late Nathuni Dubey, resident of Village- Aura @  
Aurai, P.S.- Tariyani, District- Sheohar.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Mritunjay Kumar Singh, Advocate

For the Opposite Party : Mr. Shyam Kumar Singh, APP

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE**

**ORAL ORDER**

3      30-10-2015                      Heard Mr. Mritunjay Kumar Singh, learned Counsel  
  
appearing for the petitioner, and Mr. Shyam Kumar Singh,  
  
learned Additional Public Prosecutor, appearing for the State.

This case has been listed, under the heading ‘To Be  
Mentioned’, at the instance of learned Counsel, appearing for  
the petitioner seeking correction of the error in the order No.2,  
passed in this case, on 16.10.2015, which has crept in paragraph  
No.4 of the order aforementioned.

It appears that though the order has been correctly  
recorded in the order sheet, but due to some technical snag in the  
computer, it has not been properly uploaded.

In view of the above and in the interest of justice, it is  
directed that henceforth, the order, reproduced hereinbelow,  
shall be treated and read as the order passed by this Court in the

present case, on dated 16.10.2015 :

“This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Amod Dubey, in connection with Mehari Police Station Case No. 139 of 2013 (Tr. No.833 of 2014), under Sections 395 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Mritunjay Kumar Singh, learned Counsel for the petitioner, and Mr. Shyam Kumar Singh, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that the accused above-named has been in custody since 7.7.2015 in connection with the case aforementioned and similarly situated co-accused have been granted bail by a Bench of this Court by the orders, dated 16.5.2014 and 25.6.2014, passed in Cr. Misc. No.12733 of 2014 and Cr. Misc. No.25810 of 2014, 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 does not reveal that the accused-petitioners' 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 Judicial Magistrate, 1<sup>st</sup> Class, Sadar, Motihari, East Champaran, in connection with Mehasi Police Station Case No. 139 of 2013 (Tr. No. 833 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.”

The order, dated 16.10.2015, stands corrected to the extent indicated above.

**(I.A. Ansari, ACJ)**

Pawan/-

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