

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48769 of 2015

Arising Out of PS.Case No. -71 Year- 2012 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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Krishna Mohan Giri S/o late Sheo Giri R/o Village- Parsa, Giri tola P.s
Bettiah Mufassil (Manuapul) District West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Adya Singh, Advocate

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

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

ORAL ORDER

2 24-11-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Krishna Mohan Giri, in connection with Bettiah Mufassil (Manuapul) Police Station Case No. 71 of 2012, under Sections 147/148/149/307/302/504 of the Indian Penal Code and Section 27 of the Arms Act.

Perused the above application and materials on record.

Heard Mr. Ram Adya Singh, learned Counsel for the petitioner, and Mr. Indra Kumar Singh, 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, namely, Rajan Giri, Ekbali Giri and Farindra Giri @ Fanindra Giri have already been granted bail by orders, dated 06.07.2012, 18.09.2012

and 23.08.2012, passed in Cr. Misc. No. 23455 of 2012, Cr. Misc. No. 32314 of 2012 and Cr. Misc. No. 31633 of 2012 respectively.

In view of the fact that the accused above-named has been in custody since 10.08.2015 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-petitioner in custody, and in view also of the fact that the perusal of the materials 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, Bettiah (West Champaran), in connection with Bettiah Mufassil (Manuapul) Police Station Case No. 71 of 2012.

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)

Pawan/-

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