

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47881 of 2015

Arising Out of PS.Case No. -269 Year- 2013 Thana -POTHIYA District- KISANGANJ

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Bhodu @ Hasim Son of Tamizuddin @ Gaffer, resident of Amljhari, P.S.
& District - Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Diwakar Sinha, Advocate

For the Opposite Party : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

ORAL ORDER

2 10-11-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Bhodu @ Hasim, in connection with Pothia (Paharkatta) Police Station Case No. 269 of 2013, under Section 395 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Diwakar Sinha, learned Counsel for the petitioner, and Mr. C. B. Prasad, 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 29.04.2015 in connection with the case aforementioned 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 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, Kishanganj, in connection with Pothia (Paharkatta) Police Station Case No. 269 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.

(I.A. Ansari, ACJ)

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