

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51317 of 2015

Arising Out of PS.Case No. -41 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

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1. Dharmendra Kumar Sah @ Dharmendra Kumar, S/o Late Durga Sah, R/o
Village Chiutahi, P.S. Turkoliaya, District- East Champaran, Motihari.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr. Ashraf Ansari(APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 03-12-2015 This is an application, made under Section 439 of

the Code of Criminal Procedure, seeking bail for the accused-
petitioner, namely, Dharmendra Kumar Sah @ Dharmendra
Kumar, in connection with Excise Case No.41 of 2015, under
Section 47A of Excise Act.

Perused the above application and materials on
record.

Heard Mr. Sharda Nand Mishra, learned Counsel for
the petitioner, and Mr. Ashraf Ansari, 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 19.9.2015 in connection with the case
aforementioned and though *charge sheet* has been submitted,
trial has not yet commenced and perusal of the materials

available 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, East Champaran, Motihari, in connection with Excise Case No.41 of 2015.

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)

K.C.jha/-

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