

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47822 of 2015

Arising Out of PS.Case No. -125 Year- 2015 Thana -PAROO District- MUZAFFARPUR

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1. Shambhu Rai, Son of Sri Malik Rai, Resident of Village - Dhafari, P.S. -
Deoriya, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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with

Criminal Miscellaneous No.48381 of 2015

Arising Out of PS.Case No. -125 Year- 2015 Thana -PAROO District- MUZAFFARPUR

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1. Gabbar Sahni, Son of Binda Sahni, Resident of Village - Chhap, P.S. -
Paroo, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.47822 of 2015)

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh (APP)

(In Cr.Misc. No.48381 of 2015)

For the Petitioner/s : Mrs. Nitu Kumari, Adv.

For the Opposite Party/s : Smt.Veena Kumari Jaiswal(App)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 04-11-2015

This is an application, made under Section 439 of

the Code of Criminal Procedure, seeking bail for the accused-

petitioners, namely, Shambhu Rai and Gabbar Sahni, in

connection with Paroo Police Station Case No. 125 of 2015,

under Sections 270/272/273/420/471/34 of the Indian Penal Code

and 47 of Excise Act.

Perused the above application and materials on record.

Heard Mr. Upendra Kumar Chaubey and Mrs. Nitu KUmari , learned Counsel for the petitioners, and Mr. Ram Anurag Singh and Smt. Veena Kumari Jaiswal , learned Additional Public Prosecutors, appearing on behalf of the State.

In view of the fact that the accused above-named have been in custody since 31.5.2015 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-petitioners 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 their 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, each of the like amount, subject to the satisfaction of the learned Sub-Divisional Judicial Magistrate (West), Muzaffarpur, in connection with Paroo Police Station Case No. 125 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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