

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23398 of 2016

Arising Out of PS.Case No. -431 Year- 2014 Thana -MOTIPUR District- MUZAFFARPUR

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1. Bipin Kumar @ Bipul Son of Sri Nawal Kishore Sharma, Resident of village - Mahanth Maniyari, Police Station Maniyari in the District of Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. The Zonal Director, Narcotics Control Bureau, Bihar, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Advocate

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

Mr. Rakesh Kumar Sinha, CGC

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

3 20-07-2016 This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Bipin Kumar @ Bipul, in connection with Sessions Trial No.7 of 2015, arising out of Motipur Police Station Case No. 431 of 2014, under Sections 414 of the Indian Penal Code, Section 25(1-B)A/26(ii)/35 of the Arms Act, 1959 and Sections 20/22 of the NDPS Act.

Perused the above application and materials on record.

Heard Mr. Prabhu Narayan Sharma, learned Counsel for the petitioner, and Mr. Dinesh Singh, learned Additional Public Prosecutor, appearing on behalf of the State. Heard also

Mr. Rakesh Kumar Sinha, learned Central Government Counsel, appearing on behalf of respondent No.2.

In view of the fact that the accused above-named has been in custody since 26.12.2014 in connection with the case aforementioned and similarly situated co-accused has been granted bail by a Bench of this Court by the order, dated 06.11.2015, passed in Cr. Misc. No.17824 of 2015, coupled with the fact that 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 7th Additional Sessions Judge, Muzaffarpur, in connection with Sessions Trial No.7 of 2015, arising out of Motipur Police Station Case No. 431 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.

(I.A. Ansari, ACJ.)

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