

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1171 of 2016

Arising Out of PS.Case No. -155 Year- 2013 Thana -AGAMKUAN District- PATNA

1. Binod Kumar S/o Late Ramdeo Prasad Singh, R/v - Sadarpur, P.S. Karai - Pasurai, Distt. - Nalanda at Present L.I.G., Sector - 6, Block - 2, Flat No. 97, P.S. Agam Kuan, Distt. - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

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

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 16-03-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Binod Kumar, in connection with Agam Kuan Police Station Case No. 155 of 2013, under Section 498A of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Vijay Kumar Sinha, learned Counsel for the petitioner, and Mr. Ashraf Ansari, learned Additional Public Prosecutor, appearing on behalf of the State. Heard also learned counsel for the informant.

In view of the fact that the accused above-named has been in custody since 08.09.2015 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 Mr. Prabhakar Jha, learned Judicial Magistrate, 1st Class, Patna City, Patna, in connection with Agam Kuan Police Station Case No. 155 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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