

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35764 of 2016

Arising Out of Baisi PS.Case No. -90 of 2016 Thana -BAUSI
District- PURNIA

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1. Nirmal Kumar Son of Shankar Bhagat @ Ramashankar Bhagat
2. Navin Kumar Son of Late Ramanand Bhagat Both are resident of
Village- Shankarpur, Aurai, P.S. - Simraha, District- Araria.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 20-08-2016 This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioners, namely, Nirmal Kumar and Navin Kumar, in connection with Baisi Police Station Case No. 90 of 2016, under Section 47(A) of the Bihar Excise (Amendment) Act, 2016.

Perused the above application and materials on record.

Heard Mr. M.K.Jha, learned Counsel for the petitioners, and Ashok Kumar, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that the accused above-named have been in custody since 19.06.2016 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-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 Chief Judicial Magistrate, Purnea, in connection with Baisi Police Station Case No. 90 of 2016.

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,CJ)

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