

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35810 of 2016

Arising Out of PS.Case No. -118 Year- 2015 Thana -BUDDHACOLONY District- PATNA

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1. Gautam Singh S/o Balmiki Singh R/o Gaura, P.S.-Teghra, District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.35812 of 2016

Arising Out of PS.Case No. -118 Year- 2015 Thana -BUDDHACOLONY District- PATNA

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1. Shambhu @ Karan Singh @ Shambhu Jha S/o Ramadhar Satdev Jha R/o Halakhpura, P.S.- Gadhpura, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.35810 of 2016)

For the Petitioner/s : Mrs. Rina Sinha, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahani, APP.

(In Cr.Misc. No.35812 of 2016)

For the Petitioner/s : Mrs. Rina Sinha, Adv.

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

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

3 06-09-2016 These are applications, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioners, namely, Gautam Singh and Shambhu @ Karan Singh @ Shambhu Jha, in connection with Budha Colony Police Station Case No. 118 of 2015, under Section 379 of the Indian Penal Code and Section 66 of the I.T. Act.

Perused the above application and materials on record.

Heard Mrs. Rina Sinha, learned Counsel for the petitioners, and Mr. Ramchandra Sahani and Mr. Sanjay Kumar, 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 09.10.2015 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced, similarly situated co-accused have been granted bail by a Bench of this Court by the order, dated 27.07.2016, passed in Cr. Misc. No.20427 of 2016 and analogous cases, 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 learned Judicial Magistrate, 1st Class, Patna, in connection with Budha Colony Police Station Case No. 118 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, these bail applications shall stand disposed of.

(I.A. Ansari, CJ)

K.C.jha/-

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