

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35888 of 2016

Arising Out of PS.Case No. -181 Year- 2014 Thana -BIHPUR District- BHAGALPUR

1. Balram Rai, Son of Sajjan Rai, Resident of Village- Jhandapur, Police Station- Bihpur, District:- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

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

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-petitioner, namely, Balram Rai, in connection with Bihpur (Jhandapur) P.S. Case No.181 of 2014, under Sections 302/34 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Rajesh Kumar, learned Counsel for the petitioner, and Mr. Arbind Kumar Pandey, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that the accused above-named has been in custody since 07.04.2016 in connection with the case



aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and similarly situated co-accused has been granted bail by a Bench of this Court by the order, dated 13.05.2016, passed in Cr. Misc. No.14408 of 2016, 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 Additional Chief Judicial Magistrate, Naugachia, in connection with Bihpur (Jhandapur) P.S. Case No.181 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, CJ)

K.C.jha/-

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