

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35844 of 2016

Arising Out of PS.Case No. -156 Year- 2015 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Arun Sahani, son of Darbhanga Sahani, Resident of Village- Sugapipar,
P.S Patahi, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Adv.

For the Opposite Party/s : Mr. Prem Kumar Jha, 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-petitioner, namely, Arun Sahani, in connection with Patahi Police Station Case No. 156 of 2015, under Sections 366(A), 120(B)/34 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Anshu Dhar Sharma, learned Counsel for the petitioner, and Mr. Prem Kumar Jha, 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 13.12.2015 in connection with the case



aforementioned and the statement of the victim, recorded under Section 164 Cr.P.C., does not reveal involvement of the accused petitioner and though *charge sheet* has been submitted, trial has not yet commenced and 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-8, Motihari, East Champaran, in connection with Patahi Police Station Case No. 156 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,
this bail application shall stand disposed of.

(I.A. Ansari, CJ)

K.C.jha/-

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