

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35766 of 2016

**Arising Out of Ghanshyampur PS.Case No. -5 of 2016 Thana -
GHANSHYAMPUR District- DARBHANGA**

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1. Md. Nasir S/o Late Abdul
2. Md. Alauddin S/o Late Abdul
3. Md. Insaf S/o Late Islam All are R/v- Pohaddi Bela, P.S.-
Ghanshyampur, Dist- Darbhanga. Petitioners

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Rajesh 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, Md.Nasir, Md. Alauddin and Md. Insaf, in connection with Ghanshyampur Police Station Case No. 05 of 2016, under Sections 147/148/149/448/323/324/307/452/302/504/120(B) of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Ajay Kumar, learned Counsel for the petitioners, and Mr. Rajesh 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 20.06.2016 in connection with the case aforementioned and similarly situated co-accused has been granted bail by a Bench of this Court by the order, dated 18.08.2016, passed in Cr. Misc. No.22223 of 2016, 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 Additional Chief Judicial Magistrate, Benipur, Darbhanga, in connection with Ghanshyampur Police Station Case No. 05 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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