

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35980 of 2016

Arising Out of PS.Case No. -141 Year- 2015 Thana -KADWA District- KATIHAR

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1. Md. Salim Son of Late Martez Alam, Resident of village- Dariyapur,
P.S.- Kadwa (Balua Belone), District- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate
Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Md. Anzarul Haque Sahara, 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, Md. Salim, in connection with Kadwa (Balua Belone) Police Station Case No. 141 of 2015, under Sections 302/341/324/307/504/506/34 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Mukesh Kumar Jha, learned Counsel for the petitioner, and Md. Anzarul haque Sahara, 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 05.04.2016 in connection with the case aforementioned and similarly situated co-accused have been granted bail by a Bench of this Court by the order, dated

10.12.2015, passed in Cr. Misc. No.52779 of 2015, coupled with the fact that 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-IV, Katihar, in connection with Kadwa (Balua Belone) Police Station Case No. 141 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)

Mkr./-

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