

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45391 of 2016

Arising Out of PS.Case No. -146 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

1. Shiv Kumar Rai son of Sri Ramnandan Rai Resident of village : -
Shivnathpur, P.S. - Bibhutipur, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Smt. Pronati Singh

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 19-10-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Shiv Kumar Rai, in connection with Bibhutipur Police Station Case No. 146 of 2016, under Section 395 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Jitendra Narain Sinha, learned Counsel for the petitioner, and Ms. Pronati Singh, 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 21.06.2016 in connection with the case aforementioned 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 learned Additional Chief Judicial Magistrate III, Rosera, Samastipur, in connection with Bibhutipur Police Station Case No. 146 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.)

Prabhakar Anand/-

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