

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36045 of 2016**

Arising Out of PS.Case No. -117 Year- 2016 Thana -GHORASAHAN District-  
EASTCHAMPARAN(MOTIHARI)

=====

1. Bhola Kumar son of Suresh Prasad resident of Village+ Police Station  
Ghorasahan, District- East Champaran

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Advocate  
Mr. Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**ORAL ORDER**

2      08-09-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Bhola Kumar, in connection with Ghorasahan (Jitna) Police Station Case No. 117 of 2016, under Sections 272/273 of the Indian Penal Code and Sections 47/54 of the Bihar Excise (Amendment) Act, 2016.

Perused the above application and materials on record.

Heard Mr. Abhishek Kumar, learned Counsel for the petitioner, and Mr. Dinesh 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 01.05.2016 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 20.08.2016, passed in Cr. Misc. No.35033 of 2016, 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 Sub-Divisional Judicial Magistrate, Sikarahana, East Champaran at Motihari, in connection with Ghorasahan(Jitna) Police Station Case No. 117 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)**

Mkr./-

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