

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44311 of 2016

Arising Out of PS.Case No. -157 Year- 2015 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Ram Ekbal Mahto.
 2. Ram Prasad Mahto

Petitioner Nos. 1 and 2 are sons of Late Chhathu Mahto, resident
of Village Beldarwa, P.S.- Adapur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shambhu Sharan Singh, Advocate
		Mr. Yogendra Prasad Sinha
For the Opposite Party/s	:	Mr. Rajballabh Singh, Advocate
For the Informant		Mr. Mritunjay Kumar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 05-10-2016

This is an application, made under Section 439 of the
Code of Criminal Procedure, seeking bail for the accused-
petitioners, namely, Ram Ekbal Mahto and Ram Prasad Mahto, in
connection with Adapur Police Station Case No. 157 of 2015,
under Sections 302/120B/34 of the Indian Penal Code.

Perused the above application and materials on
record.

Heard Mr. Shambhu Sharan Singh, learned Counsel
for the petitioner, and Mr. Raj Ballabh Singh, learned Additional
Public Prosecutor, appearing on behalf of the State. Heard also
Mr. Mritunjay Kumar, learned Counsel, appearing on behalf of
the Informant.



In view of the fact that the accused above-named has been in custody since 02.07.2016 in connection with the case aforementioned and similarly situated co-accused has been granted anticipatory bail by a Bench of this Court by the order, dated 05.08.2016, passed in Cr. Misc. No.25001 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, Raxaul at Motihari, in connection with Adapur Police Station Case No. 157 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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