

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36072 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -PANDAU District- MADHUBANI

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Dipak Sharma, Son of Asharfi Sharma, resident of Village-gojiya, P.S. Chanpatiya, District-West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 14-09-2016

This is an application, made under Section 439 and 490 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Dipak Sharma, in connection with Pandaul Police Station Case No. 26 of 2016, under Sections 363 and 366 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Bimlesh Kumar Pandey, learned Counsel for the petitioner, and Mr. Nirmal Kumar Sinha, 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 27.02.2016 in connection with the case aforementioned and though *charge sheet* has been submitted, perusal of the materials available on record 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 Chief Judicial Magistrate, Madhubani, in connection with Pandaul Police Station Case No. 26 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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