

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45217 of 2016

Arising Out of PS.Case No. -49 Year- 2016 Thana -HATHIDAH District- PATNA

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1. Sanjay Kumar @ Sanjay Kumar Mandal @ Murari Sahni @ Sanjay Kr. Mahto Son of late Bhushan Mahto, Resident of Village- Mahthi Sonbar Chak, P.S.- Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate
Mr. Kumar Manglam, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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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, Sanjay Kumar @ Sanjay Kumar Mandal @ Murari Sahni @ Sanjay Kr. Mahto, in connection with Hathidah Police Station Case No. 49 of 2016, under Sections 47/49/50 of the Bihar Excise (Amendment) Act, 2016.

Perused the above application and materials on record.

Heard Mr. Amit Kumar Anand, learned Counsel for the petitioner, and Mr. Tarkeshwar Nath Thakur, 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 23.07.2016 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 the satisfaction of the learned Sub-Judge-cum-Additional Chief Judicial Magistrate, Barh, Patna, in connection with Hathidah Police Station Case No. 49 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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