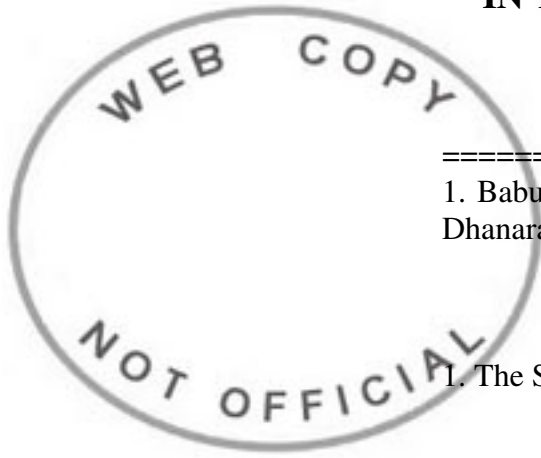




**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44282 of 2016**

Arising Out of PS.Case No. -76 Year- 2016 Thana -RAMNAGAR District-  
WESTCHAMPARAN(BETTIAH)

=====

1. Babujan Khan, son of Late Phul Mohammad Khan, resident of Village-  
Dhanarapa, P.S.- Ramnagar, District- West Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.

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

=====

**Appearance :**

For the Petitioner/s : Mr. Aditya Nath Jha, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP.

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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-  
  
petitioner, namely, Babujan Khan, in connection with Ramnagar  
  
P.S. Case No.76 of 2016, under Sections 147, 148, 149, 323, 324,  
  
307, 504 and 302 of the Indian Penal Code.

Perused the above application and materials on  
  
record.

Heard Mr. Aditya Nath Jha, learned Counsel for the  
  
petitioner, and Mr. Uday Chand Prasad, 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 28.03.2016 in connection with the case



aforementioned and though *charge sheet* has been submitted, trial has not yet commenced, similarly situated co-accused has been granted bail by a Bench of this Court by the order, dated 14.09.2016, passed in Cr. Misc. No.35780 of 2016, 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-Divisional Judicial Magistrate, Bagaha (West Champaran), in connection with Ramnagar P.S. Case No.76 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)

K.C.jha/-

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