

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45381 of 2016

Arising Out of PS.Case No. -779 Year- 2015 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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1. Chhathu Chaudhary Son of Late Yogilal Chaudhary @ Jagdev Chaudhary Resident of Village - Madhurbana Tilangahi, P.S. - Bairiya, District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Nand Kumar

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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, Chhathu Chaudhary, in connection with Bettiah Town Police Station Case No. 779 of 2015, under Sections 394/395 of the Indian Penal Code and Section 27 of the Arms Act, 1959.

Perused the above application and materials on record.

Heard Mr. Surendra Kishore Thakur, learned Counsel for the petitioner, and Mr. Nand Kumar, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that other co-accused, Ashok Tiwari, has been granted bail by this Court by order, dated



25.02.2016, passed in Criminal Misc. No. 8177 of 2016, and the fact that the accused above-named has been in custody since 06.09.2016 in connection with the case aforementioned and though *charge sheet* has been submitted and 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, West Champaran, at Bettiah, in connection with Bettiah Town Police Station Case No. 779 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.)

Prabhakar Anand/-

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