

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45376 of 2016

Arising Out of PS.Case No. -122 Year- 2016 Thana -KURSAKANTA District- ARRARIA

1. Rupesh Kumar Yadav Son of Dharamnath Yadav resident of village -
Haldhara Hat, P.S. Kursankanta, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Union of India through Company Commandant Gurubaksh Singh
INS.P/UO 56th Bahini S.S.B. Company S/o Shiv Ram Singh r/o Village
Naukpur, P.O. + P.S. R.S. Pura, District - Jammu Kashmir.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

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, Rupesh Kumar Yadav, in connection with Kursakanta Police Station Case No. 122 of 2016, under Sections 272/273 of the Indian Penal Code and Section 47 of the Bihar Excise (Amendment) Act, 2016.

Perused the above application and materials on record.

Heard learned counsel for the petitioner and the State.

In view of the fact that the accused above-named has been in custody since 31.07.2016 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 Additional Chief Judicial Magistrate II, Araria, in connection with Kursakanta Police Station Case No. 122 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.)

Prabhakar Anand/-

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