

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40568 of 2016

Arising Out of PS.Case No. -189 Year- 2016 Thana -PATRAKARNAGAR District- PATNA

1. Mohan Kumar Son of Dinesh Mahto, Resident of village - Dagru, P.S.- Mahua, District- Vaishali, At present residing at Gandhi Nagar, Kanti Factory Road, P.S.-Patrakar Nagar, District Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Anzarul Haque Sahara, APP

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 19-09-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Mohan Kumar, in connection with Patrakar Nagar Police Station Case No. 189 of 2016, under Section 366(A) of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Mukesh Kumar, learned Counsel for the petitioner, and Md. Anzarul Haque, 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 12.07.2016 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 Shri Kiran Chaturvedi, learned Judicial Magistrate, 1st Class, Patna, in connection with Patrakar Nagar Police Station Case No. 189 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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