

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45026 of 2016

Arising Out of PS.Case No. -162 Year- 2016 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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Hiralal Rai, S/o Yugul Rai, Resident of village- Maudilwa, P.S. –Chiraiya,
District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Bisheshwar Ram, APP.

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 18-10-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Hiralal Rai, in connection with Dhaka Police Station Case No. 162 of 2016, under Sections 272 and 273 of the Indian Penal Code and 47(a) of Bihar Excise (Amendment) Act, 2016.

Perused the above application and materials on record.

Heard Mr. Ajay Kumar Singh, learned Counsel for the petitioner, and Mr. Bisheshwar Ram, 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 20.06.2016 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced 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, Sikarahna at Dhaka, in connection with Dhaka Police Station Case No. 162 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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