

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44189 of 2016

Arising Out of PS.Case No. -76 Year- 2016 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Ramdeo Mukhiya, son of Late Mokha Mukhiya Resident of Village -
Hasuahan, P.S. Muffasil Motihari, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anwar Karim, Adv.

For the Opposite Party/s : Mr. Upendra Kumar, 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, Ramdeo Mukhiya, in connection with
Chiraiya P.S. Case No.76 of 2016, under Section 47 of Bihar
Excise (Amendment) Act, 2016.

Perused the above application and materials on
record.

Heard Mr. Anwar Karim, learned Counsel for the
petitioner, and Mr. Upendra Kumar, 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 26.04.2016 in connection with the case



aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and similarly situated co-accused has been granted bail by a Bench of this Court by the order, dated 27.09.2016, passed in Cr. Misc. No.40345 of 2016, 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, Sikrahna at Dhaka, Motihari, in connection with Chiraiya 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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