

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44307 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -HABIBPUR District- BHAGALPUR

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1. Sitto Chaudhary @ Sito Chaudhary, S/o. Baldeo Chawdhary,
2. Kanno Choudhary @ Kanti Choudhary, S/o. late Kisun Choudhary,
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Amrendra Prasad, 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-petitioners, namely, Sitto Chaudhary @ Sito Chaudhary and Kanno Choudhary @ Kanti Choudhary, in connection with Habibpur Police Station Case No. 46 of 2016, under Sections 272/273 of the Indian Penal Code and Sections 47(a)/54/2(e)/3(b)/15/18 of the Bihar Excise (Amendment) Act, 2016.

Perused the above application and materials on record.

Heard Mr. Parmod Kumar, learned Counsel for the petitioner, and Mr. Amrendra Prasad, learned Additional Public Prosecutor, appearing on behalf of the State.



In view of the fact that the accused above-named have been in custody since 19.08.2016 and 26.08.2016 respectively 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-petitioners in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioners' liberty on bail would adversely affect their 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, each of the like amount, subject to the satisfaction of the learned Additional Chief Judicial Magistrate-XII, Bhagalpur, in connection with Habibpur Police Station Case No. 46 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)

Mkr./-

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