

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35989 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -EKANGARSARAI District- NALANDA
(BIHARSHARIFF)

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1. Ram Pravesh Prasad, S/o Late Lala Yadav Resident of Village -
Badarabad, P.S. - Ekangarsarai, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Adv.
Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP.

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 20-08-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Ram Pravesh Prasad, in connection with Ekangarsarai P.S. Case No.12 of 2016, under Sections 399, 401, 402 of the Indian Penal Code and 25(1-b)a/26/35 of the Indian Arms Act, 1878.

Perused the above application and materials on record.

Heard Mr. Shyamal Prakash, learned Counsel for the petitioner, and Mr. Uma Shankar Prasad Singh, APP, 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 13.01.2016 in connection with the case
aforementioned and though *charge sheet* has been submitted,
trial has not yet commenced and similarly situated co-accused
have been granted bail by a Bench of this Court by the orders,
dated 12.07.2016 and 26.07.2016, passed in Cr. Misc. Nos.23697
of 2016 and 29635 of 2016 respectively, 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, Hilsa, Nalanda, in connection with Ekangarsarai P.S.
Case No.12 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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