

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36082 of 2016

Arising Out of PS.Case No. -65 Year- 2015 Thana -WAJIRGANJ District- GAYA

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1. Kapindra Mistry @ Kopindra Mistry, son of Dokan Mistry, resident of village-Barahi Bigha, Police Station- Wazirganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh , Adv.
Mr. Manish Kumar No.2, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP.

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 14-09-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Kapindra Mistry @ Kopindra Mistry, in connection with Wazirganj P.S. Case No.65 of 2015, under Sections 147, 148, 149, 341, 323 and 302 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Gajendra Kumar Singh, learned Counsel for the petitioner, and Mr. Sanjay Kumar Singh, 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 29.04.2016 in connection with the case



aforementioned and though *charge sheet* has been submitted, trial has not yet commenced, similarly situated co-accused have been granted bail by different Benches of this Court by the orders, dated 03.09.2015, 16.10.2015 and 20.08.2016, passed in Cr. Misc. Nos.22602 of 2015, 48592 of 2015 and 34598 of 2016 respectively, 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 Chief Judicial Magistrate, Gaya, in connection with Wazirganj P.S. Case No.65 of 2015.

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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