

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35757 of 2016

Arising Out of Mahila PS.Case No. -43 of 2015 Thana -
MAHILA PS District- KATIHAR

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1. Md. Chhotu son of Md Afjal resident of Village- Makhdoompur, Police
Station- Muffassil, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah

For the Opposite Party/s : Mr. Ashok Kumar, 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, Md. Chhotu, in connection with Mahila Police
Station Case No. 43 of 2015, under Section 376(G)/34 of the
Indian Penal Code.

Perused the above application and materials on
record.

Heard Mr. R.P.Sah, learned Counsel for the
petitioner, and Mr. Ashok 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 27.11.2015 in connection with the case
aforementioned and similarly situated co-accused persons have
been granted bail by different Benches of this Court by different

orders, as contained in Annexure-3 series, 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, Katihar, in connection with Mahila Police Station Case No. 43 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)

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