

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35863 of 2016

Arising Out of PS.Case No. -115 Year- 2016 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Gautam Paswan Son of Badari Paswan Resident of village - Shripur
Kasawa, Police Station Ghorasahan, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Adv.

For the Opposite Party/s : Md. Ansarul Haque, 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, Gautam Paswan, in connection with Ghorasahan Police Station Case No. 115 of 2016, Trial No.2471 of 2016, under Sections 272, 273 of the Indian Penal Code and 47, 53(c), 54 of Excise (Amendment) Act, 2016.

Perused the above application and materials on record.

Heard Mr. Umesh Kumar Singh, learned Counsel for the petitioner, and Md. Ansarul Haque, 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 28.04.2016, in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced 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 Sri Manoj Kumar, learned Judicial Magistrate, 1st Class, Sikarahana (Dhaka), East Champaran, at Motihari, in connection with Ghorasahan Police Station Case No. 115 of 2016, Trial No.2471 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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