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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28408 of 2016

Arising Out of PS.Case No. -19 Year- 2015 Thana -DUMARIA District- GAYA

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1. Rakesh Kumar Son of Sanjay Prasad resident of village: Deochand Dih, Police Station: Dumaria,District: Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Kumar Nikhil
For the Opposite Party/s : Mr. Rajesh Kumar (APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

4 28-07-2016 This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Rakesh Kumar, in connection with Dumaria Police Station Case No. 19 of 2015, under Sections 304(B)/34 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Kumar Nikhil, learned Counsel for the petitioner, and Mr. Rajesh 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 19.08.2015 in connection with the case aforementioned and similarly situated co-accused has been granted bail by a Bench of this Court by the order, dated

28.07.2015, passed in Cr. Misc. No. 29316 of 2015, coupled with the fact that 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, Sherghati (Gaya), in connection with Dumaria Police Station Case No. 19 of 2015.

This direction for bail is further subject to the condition that the accused above-named shall not 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, ACJ)

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