

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45189 of 2016

Arising Out of PS.Case No. -198 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Dhamal Rai @ Dharmal Rai @ Baidnath Rai Son of Satyanarayan Rai
resident of Village- Kharjhakhia, P.S.- Gorasahan, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Anis Akhtar, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 19-10-2016

This is an application, made under Section 439 of the
Code of Criminal Procedure, seeking bail for the accused-
petitioner, namely, Dhamal Rai @ Dharmal Rai @ Baidnath Rai,
in connection with Turkaulia (Banjaria) Police Station Case No.
198 of 2016, under Sections 364A/120B/34 of the Indian Penal
Code.

Perused the above application and materials on
record.

Heard Md. Anis Akhtar, learned Counsel for the
petitioner, and Mr. Nagendra Prasad, 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 29.05.2016 in connection with the case
aforementioned and though *charge sheet* has been submitted and

perusal of the materials available on record 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, Motihari, East Champaran, in connection with Turkaulia (Banjaria) Police Station Case No. 198 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)

Mkr./-

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