

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42610 of 2016

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1. Chandan Kumar, son of Shri Umesh Choudhary, Resident of Village-
Pachhiyari Tola, Tabhaka, Police Station- Bibhutipur, District-
Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Smt. Sharda Kumari, APP.

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 05-10-2016

This is an application, made under Section 439 of
the Code of Criminal Procedure, seeking bail for the accused-
petitioner, namely, Chandan Kumar, in connection with Sessions
Trial No.611 of 2015, arising out of Bibhutipur P.S. Case No.181
of 2014, under Sections 304(B)/34 of the Indian Penal Code.

Perused the above application and materials on
record.

Heard Mr. Manish Kumar No.2, learned Counsel for
the petitioner, and Smt. Sharda Kumari, 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 21.02.2015 in connection with the case
aforementioned and though *charge sheet* has been submitted,



trial has not yet commenced, similarly situated co-accused has been granted bail by a Bench of this Court by the order, dated 24.11.2015, passed in Cr. Misc. No.48514 of 2015, 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 Additional Sessions Judge, Rosera, Samastipur, in connection with Sessions Trial No.611 of 2015, arising out of Bibhutipur P.S. Case No.181 of 2014.

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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