IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44253 of 2016

Arising Out of PS.Case No. -310 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

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1. Mukesh Kumar, S/o Late Sadhu Sharan Yadav Resident of Village-Tetua Birarpur P.S. Atri District-Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Kamal Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Surendra Kumar, 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, Mukesh Kumar, in connection with Muffasil P.S. Case No.310 of 2016, under Sections 363, 365/34 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Kamal Kumar Sinha, learned Counsel for the petitioner, and Mr. Surendra 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 14.07.2016 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and perusal of the materials

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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 Chief Judicial Magistrate, Gaya, in connection with Muffasil P.S. Case No.310 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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