

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44257 of 2016

Arising Out of PS.Case No. -90 Year- 2016 Thana -DAGARUA District- PURNIA

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1. Bipin Kumar Sah @ Bipin Kumar, Son of Shankar Sah
 2. Bambam Kumar, Son of Late Fekan Sah Both are Resident of Village-Bhawanipur, Police Station-Bhawanipur in the district of Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the Opposite Party/s : Mr. Manoj Kumar – 1, 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-petitioners, namely, Bipin Kumar Sah @ Bipin Kumar and Bambam Kumar, in connection with Dagarua P.S. Case No.90 of 2016 (G.R. No.2623 of 2016), under Section 273 of the Indian Penal Code and 47(a) Bihar Excise (Amendment) Act, 2016.

Perused the above application and materials on record.

Heard Mr. Raj Kumar, learned Counsel for the petitioners, and Mr. Manoj Kumar-1, 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 16.08.2016 in connection with the case

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aforementioned and perusal of the materials available does not reveal such incriminating materials, which would warrant further detention of the accused-petitioners in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioners' liberty on bail would adversely affect their 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, each of the like amount, subject to the satisfaction of the learned Sub-Judge-II, Purnea, in connection with Dagarua P.S. Case No.90 of 2016 (G.R. No.2623 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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