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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45045 of 2016

Arising Out of PS.Case No. -38 Year- 2015 Thana -BALIGAON District- VAISHALI(HAJIPUR)

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Kamleshwar Rai @ Master Jee, Son of Late Bhola Rai, Resident of Village- Goraul, P.S. Goraul, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP.

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 18-10-2016 This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Kamleshwar Rai @ Master Jee, in connection with Baligaon Police Station Case No. 38 of 2015, under Sections 147, 148, 149, 435, 427, 387, 506 of the Indian Penal Code, 27 of the Arms Act and 17 of the C.L.A. Act.

Perused the above application and materials on record.

Heard Mr. Rajive Ranjan Singh, learned Counsel for the petitioner, and Mr. Sanjay Kumar Sharma, 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 10.06.2016 in connection with the case

aforementioned and though *charge sheet* has been submitted, trial has not yet commenced, similarly situated co-accused have been granted bail by different Benches of this Court by the orders, dated 18.04.2016, 21.04.2016 and 14.07.2016, passed in Cr. Misc. Nos.15363, 13670 and 26925 of 2016, respectively, 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 Chief Judicial Magistrate-XII, Vaishali at Hajipur, in connection with Baligaon Police Station Case No. 38 of 2015.

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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