

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40551 of 2016

Arising Out of PS.Case No. -152 Year- 2015 Thana -MOHAMMADPUR District- GOPALGANJ

1. Babulal Ram Son of Late Shobha Ram, R/o Village Mohammadpur,
P.S. - Mohammadpur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey, Advocate

Mr. Ojaswee Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 19-09-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Babulal Ram, in connection with Mohammadpur Police Station Case No. 152 of 2015, under Sections 323/307/384/379/504/120B of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Ranjeet Kumar, learned Counsel for the petitioner, and Mr. Kumar Ranjit Ranjan, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that the complaint was lodged after one month of the occurrence, there is counter case against the complainant of having committed rape upon the daughter-in-law of the present petitioner, accused above-named has been in custody since 05.06.2016 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 Additional Chief Judicial Magistrate-I, Gopalganj, in connection with Mohammadpur Police Station Case No. 152 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)

Mkr./-

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