

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35954 of 2016

Arising Out of PS.Case No. -270 Year- 2016 Thana -KOTWALI District- PATNA

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1. Shail Kumari, w/o Ashok Kumar Tiwari, r/o Radhaur, P.S.- Sursand,
District- Sitamarhi, presently r/o Budhha Residency B' Block, Flat No.
601, P.S.- Buddha Colony, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Vigilance Investigation Bureau, Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Patanjali Rishi, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, Advocate
For the Vigilance : Mr. Ramakant Sharma, Sr. Advocate, I/c, Vigilance

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CORAM: HONOURABLE THE CHIEF JUSTICE
CAV ORDER

7/ 26-09-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Shail Kumari, in connection with Kotwali Police Station Case No.270 of 2016, under Sections 420, 465, 467, 468, 471, 120-B, 188 and 201 of the Indian Penal Code and Sections 8, 9, 13(1) (e) read with Section 13(2) of the Prevention of Corruption Act.

Perused the above application and materials on record.

Heard Mr. Ajay Kumar Thakur, learned Counsel for the petitioner, and Mr. Surendra Prasad Singh, 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 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 her trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of ₹10,000/- with two sureties, each of the like amount, subject to the satisfaction of the learned Special Judge, Vigilance, 1st, Patna, in connection with Kotwali Police Station Case No. 270 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/her 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)

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