

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44568 of 2016

Arising Out of PS.Case No. -427 Year- 2016 Thana -ARA NAWADA District- BHOJPUR

- =====
1. Piyus Pandey son of Akhilesh Pandey
 2. Bijay Bahadur Pandey son of Suraj Pandey Both residents of village - Sanjoyal, Police Station - Krishnagarh (Barahara), District - Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Makardhwaj Upadhyay, Advocate

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

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 06-10-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioners, namely, Piyus Pandey and Bijay Bahadur Pandey, in connection with Ara Nawada Police Station Case No. 427 of 2016, under Section 120B of the Indian Penal Code and Section 25(1-b)/A/26/35 of the Arms Act, 1959.

Perused the above application and materials on record.

Heard learned counsel for the petitioners and the State.

In view of the fact that the accused above-named have been in custody since 20.06.2016 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-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 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, each of the like amount, subject to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur, Ara, in connection with Ara Nawada Police Station Case No. 427 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)

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