

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44636 of 2016

Arising Out of Bikram PS.Case No. -119 Year- 2016 Thana -
BIKRAM District- PATNA

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1. Mohan Kumar, son of Late Lal Bahadur Gupta, Resident of Village-
Arund Police Station, Khetarsarai, in the district of Jaunpur (Uttarpradesh)
..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Satyendra Prasad

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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-
petitioner, namely, Mohan Kumar, in connection with Bikram
Police Station Case No. 119 of 2016, under Sections
399/402/120B of the Indian Penal Code and Sections 25(1-B)
(a)/26/35 of the Arms Act, 1959.

Perused the above application and materials on
record.

Heard Mr. P.N.Sharma, learned Counsel for the
petitioner, and Mr. Satyendra Prasad, learned Additional Public
Prosecutor, appearing on behalf of the State.

It is submitted, on behalf of the accused-petitioner
that co-accused, namely, Ashwani Kumar @ Sonu has been
granted bail by a Bench of this Court by the order, dated

22.08.2016, passed in Cr. Misc. No.36099 of 2016.

In view of the fact that the accused above-named has been in custody since 25.05.2016 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and perusal of the materials available 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 Sri R.N.Singh, the learned Judicial Magistrate, 1st Class, Danapur, in connection with Bikram Police Station Case No. 119 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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