

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40570 of 2016

Arising Out of PS.Case No. -958 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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1. Abhishek Kumar @ Ujjwal Kumar S/O-Rambabu singh @ Chandraket Singh R/O village- Delho (Kajraha Panchayat), P.S- Madhuban, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

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

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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, Abhishek Kumar @ Ujjwal Kumar, in connection with Ahiyapur Police Station Case No. 958 of 2015, under Sections 399/402/414 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. Ajay Kumar Singh, learned Counsel for the petitioner, and Mr. Upendra Kumar, 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 15.10.2015 in connection with the case aforementioned and similarly situated co-accused has been granted bail by a Bench of this Court by the order, dated

01.03.2016, passed in Cr. Misc. No. 9669 of 2016, coupled with the fact that 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 Chief Judicial Magistrate, Muzaffarpur, in connection with Ahiyapur Police Station Case No. 958 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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