

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45220 of 2016**

Arising Out of PS.Case No. -50 Year- 2014 Thana -GURUA District- GAYA

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1. Shambhu Mahto @ Raushan @ Roushan Kumar @ Doctor @ Sagar @ Sagar Singh, Son of Rambriksh Mahto, R/o village- Dangi Nagar, P.S. Gurua at District- Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Smt. Sharda Kumari, APP

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**ORAL ORDER**

2      19-10-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Shambhu Mahto @ Raushan @ Roushan Kumar @ Doctor @ Sagar @ Sagar Singh, in connection with Gurua Police Station Case No. 50 of 2014, under Section 395 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Ajay Kumar Sinha, learned Counsel for the petitioner, and Mrs. Sharda Kumari, 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 22.09.2015 in connection with the case aforementioned and similarly situated co-accused have been granted bail by a Bench of this Court by the orders, dated

29.01.2016 and 26.02.2016, passed in Cr. Misc. No. 2621 and 8432 of 2016 respectively, 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 Mr. Gorakh Nath Dubey, learned Judicial Magistrate, 1<sup>st</sup> Class, Gaya, in connection with Gurua Police Station Case No. 50 of 2014.

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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