

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44158 of 2016

Arising Out of PS.Case No. -425 Year- 2016 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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1. Chandan Kumar, Son of Brij Nandan Sharma Resident of Village- Hela Bazar, P.S.- Town Hajipur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP.

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 05-10-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Chandan Kumar, in connection with Hajipur Town P.S. Case No.425 of 2016, under Sections 414 of the Indian Penal Code and 25(1-B)A/26/35 of the Arms Act, 1959.

Perused the above application and materials on record.

Heard Mr. Hansraj, learned Counsel for the petitioner, and Mr. Lakshmi Kant Sharma, 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 25.06.2016 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and perusal of the materials

available 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, Vaishali, Hajipur, in connection with Hajipur Town P.S. Case No.425 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)

K.C.jha/-

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