

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44300 of 2016

Arising Out of PS.Case No. -212 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

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1. Suresh Prasad,
2. Naresh Saw @ Naresh Sah,
Both are son of Ramjee Saw, resident of village- Fulbar, P.S. Banjariya,
District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, 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-petitioners, namely, Suresh Prasad and Naresh Saw @ Naresh Sah, in connection with Excise Case No. 212 of 2016, under Sections 47(a)/47(b) of the Bihar Excise (Amendment) Act, 2016.

Perused the above application and materials on record.

Heard Mr. Anuj Kumar, learned Counsel for the petitioner, and Mr. Prem Kumar Jha, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that the accused above-named have been in custody since 21.07.2016 in connection with the

case aforementioned and perusal of the materials available 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 their 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, East Champaran at Motihari, in connection with Excise Case No. 212 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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