

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36092 of 2016

Arising Out of PS.Case No. -85 Year- 2016 Thana -SHERGHATI District- GAYA

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1. Rajesh Kumar Yadav Son of Late Yogendra Yadav Resident of village -
Datmi, Police Station Hanterganj, District Chatra (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Adv.

Mr. Sanjay Kumar, Adv.

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

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 14-09-2016

This is an application, made under Section 439 of
the Code of Criminal Procedure, seeking bail for the accused-
petitioner, namely, Rajesh Kumar Yadav, in connection with
Sherghati (Dobhi) P.S. Case No.85 of 2016, under Section 395 of
the Indian Penal Code.

Perused the above application and materials on
record.

Heard Mr. Binod Kumar, learned Counsel for the
petitioner, and Mr. Awadhesh Kumar Singh, 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 14.04.2016 in connection with the case



aforementioned and though *charge sheet* has been submitted, trial has not yet commenced, the co-accused, who in his extra judicial confession took the name of the petitioner, has been granted bail by a Bench of this Court by the order, dated 23.08.2016, passed in Cr. Misc. No.35346 of 2016, 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 Additional Chief Judicial Magistrate, Sherghati, Gaya, in connection with Sherghati (Dobhi) P.S. Case No.85 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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