

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45149 of 2016

Arising Out of PS.Case No. -343 Year- 2015 Thana -JOGAPATTI District- WEST CHAMPARAN
(BETTIAH)

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Mawalvi Faijul Rahman @ Maulbi Faijul Rahman @ Maulvi Faijur Rahman @ Faijul Rahman, son of Sheikh Amoor, resident of village Siswa Basantpur, Police Station Chautarwa, District West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Adya Singh

For the Opposite Party/s : Mr. Sri Ramesh Chandra

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 18-10-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Mawalvi Faijul Rahman @ Maulbi Faijul Rahman @ Maulvi Faijur Rahman, in connection with Yogapatti Police Station Case No. 343 of 2015, under Sections 363/366A of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Ram Adya Singh, learned Counsel for the petitioner, and Mr. Ramesh Chandra, 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 16.08.2016 in connection with the case aforementioned and though *charge sheet* has been submitted and perusal of the materials available on

record 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 II, West Champaran, at Bettiah, in connection with Yogapatti Police Station Case No. 343 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.)

Prabhakar Anand/-

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