

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44228 of 2016

Arising Out of PS.Case No. -48 Year- 2016 Thana -HARLAKHI District- MADHUBANI

- =====
1. Kusama Devi, wife of Devan Das Resident of Piparaun, P.S.- Harlakhi, District-Madhubani
 2. Garichan Das @ Garib Chandas Son of Mahendra Das
 3. Pawan Devi wife of Garichan Das Resident of Village-Pithbara, P.S.- Saharghat, District-Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party/s : Mr. Arbind Kumar Pandey, 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, Kusama Devi, Garichan Das @ Garib Chandas and Pawan Devi, in connection with Harlakhi P.S. Case No.48 of 2016, under Sections 304(B)/34 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Gagan Deo Yadav, learned Counsel for the petitioners, and Mr. Arbind Kumar Pandey, 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 03.08.2016 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-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 Sub-Divisional Judicial Magistrate, Benipatti, Madhubani, in connection with Harlakhi P.S. Case No.48 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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