

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44579 of 2016

Arising Out of PS.Case No. -44 Year- 2004 Thana -MEHANDIA District- JEHANABAD

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Shankar Das son of Sri Naresh Das resident of village - Koil Bhupat, Police
Station - Mehandia in the district of Arwal.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Advocate

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, APP

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 06-10-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Shankar Das, in connection with Sessions Trial No.84 of 2016/11 of 2016, arising out of Mehandia Police Station Case No. 44 of 2004, under Sections 328/302/201/34 of the Indian Penal Code.

Perused the above application and materials on record.

Heard learned counsel for the petitioner and the State.

In view of the fact that the witnesses examined so far have not implicated the accused above-named, who has been in custody since 11.01.2015 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-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 Sessions Judge-V, Jehanabad, in connection with Sessions Trial No.84 of 2016/11 of 2016, arising out of Mehandia Police Station Case No. 44 of 2004.

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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