

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44630 of 2016

**Arising Out of Shahkund PS.Case No. -147 Year- 2013 Thana -
SAHKUND District- BHAGALPUR**

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1. Sikendar Kumar Singh @ Sikandar Singh, son of Sachidanand Singh,
Resident of Village- Kisanpur, P.S.- Sahkund, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Abhay Kumar - 1

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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, Sikendar Kumar Singh @ Sikandar Singh, in
connection with Shahkund Police Station Case No. 147 of 2013,
under Sections 324/302/34 of the Indian Penal Code and Section
27 of the Arms Act, 1959..

Perused the above application and materials on
record.

Heard Mr. R.K.Jha, learned Counsel for the
petitioner, and Mr. Abhay Kumar-1, learned Additional Public
Prosecutor, appearing on behalf of the State.

It is submitted, on behalf of the accused-petitioner,
that the co-accused, namely, Sumitra Devi has been granted
anticipatory bail by the order, dated 03.11.2014, passed in
Cr.Misc.No.24147 of 2014 by a Bench of this Court and the co-

accused, namely, Rakhi Kumari has been granted regular bail by the order, dated 18.04.2016, passed in Cr.Misc.No.7171 of 2016, by a Bench of this Court.

In view of the fact that the accused above-named has been in custody since 10.06.2016 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-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 Sub-Divisional Judicial Magistrate, Bhagalpur, in connection with Shahkund Police Station Case No.147 of 2013.

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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