

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45278 of 2016

Arising Out of PS.Case No. -121 Year- 2016 Thana -MAUZAHDIPUR District- BHAGALPUR

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1. Om Prakash Sah Son of Late Sukdev Sah, Resident of Mohalla-
Gulabibagh Aligunj, P.S. Mojahidpur (Babbarganj) District- Bhagalpur.
..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Manoj Kumar, Advocate
Ms. Sweety Sinha, Advocate

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

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 19-10-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Om Prakash Sah, in connection with Mojahidpur (Babarganj) Police Station Case No. 121 of 2016, under Section 7 of the Essential Commodities Act.

Perused the above application and materials on record.

Heard Dr. Manoj Kumar, learned Counsel for the petitioner, and Mr. Anil Kumar, 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 02.08.2016 in connection with the case aforementioned and similarly situated co-accused has been granted anticipatory bail by a Bench of this Court by the order,

dated 23.09.2016, passed in Cr. Misc. No.41811 of 2016, coupled with the fact that 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 Chief Judicial Magistrate, Bhagalpur, in connection with Mojahidpur (Babarganj) Police Station Case No. 121 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)

Mkr./-

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