

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45407 of 2016

Arising Out of PS.Case No. -180 Year- 2015 Thana -RIVILGANJ District- SARAN

1. Sukhal Singh @ Sukhlal Singh Son of Suraj Singh Resident of village-
Newagi Tola, P.S.- Revelganj, District- Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Anil Prasad Singh

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, Sukhal Singh @ Sukhlal Singh, in connection with Revelganj Police Station Case No. 180 of 2015, under Sections 341/323/324/379/404/302/327 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Anil Kumar Singh, learned Counsel for the petitioner, and Mr. Anil Prasad Singh, learned Additional Public Prosecutor, appearing on behalf of the State.

Mr. Anil Kumar Singh, learned Counsel, appearing on behalf of the petitioner, has submitted that though it is alleged in the First Information Report that the

victim sustained injury by means of a knife, the *post mortem report* reveals that she died because of assault by blunt object.

In view of the above submission and the fact that the accused above-named has been in custody since 19.05.2016 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 6th Additional Sessions Judge, Saran, at Chapra, in connection with Revelganj Police Station Case No. 180 of 2016 (Sessions Trial No. 496 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.)

Prabhakar Anand/-

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