

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36059 of 2016**

Arising Out of PS.Case No. -35 Year- 2016 Thana -TARIYANI CHOWK District- SHEOHAR

1. Kundan Kumar Singh @ Kundan Singh @ Kundan Kumar S/o Jitendra Singh resident of village Sauli Rupauli P.S. Tariyani District Sheohar

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Uday Kumar, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP.

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**ORAL ORDER**

2      08-09-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Kundan Kumar Singh @ Kundan Singh @ Kundan Kumar, in connection with Sessions Trial No.118 of 2016, arising out of Tariyani Police Station Case No. 35 of 2016, under Sections 363 and 364A of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Uday Kumar, learned Counsel for the petitioner, and Mr. Uday Pratap Singh, 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 03.04.2016 in connection with the case



aforementioned and though *charge sheet* has been submitted, trial has not yet commenced, similarly situated co-accused has been granted bail by a Bench of this Court by the order, dated 02.08.2016, passed in Cr. Misc. No.23291 of 2016, 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 Sessions Judge, Sheohar, in connection with Sessions Trial No.118 of 2016, arising out of Tariyani Police Station Case No. 35 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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