

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35843 of 2016

Arising Out of PS.Case No. -138 Year- 2016 Thana -BELAGANJ District- GAYA

1. Sanjay @ Sanju Sharma, S/o Late Dhanesh Sharma, resident of Village-
Prawan, P.S- Ghosi, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Adv.

For the Opposite Party/s : Mr. Ram Bachan Singh, APP.

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 20-08-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Sanjay @ Sanju Sharma, in connection with Belaganj P.S. Case No.138 of 2016, under Sections 323, 341, 386, 435, 379/34 of the Indian Penal Code, 14, 16, 17, 18, 20, 30, 40 of the U.A.P. Act and 17 of the Criminal Law Amendment Act.

Perused the above application and materials on record.

Heard Mr. Shivendra Prasad, learned Counsel for the petitioner, and Mr. Bachan 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 13.05.2016 in connection with the case
aforementioned and there is, admittedly, no cogent evidence
against the petitioner except the extra judicial confession 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 Chief Judicial Magistrate, Gaya, in
connection with Belaganj P.S. Case No.138 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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