

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20678 of 2014

Arising Out of Bheldi PS.Case No. -108 Year- 2011 Thana -
BHELDI District- SARAN

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1. Raj Kumar Choubey S/o Sri Ramnath Choubey Resident of Village
Baidnathpur, P.S. Bheldi, District Saran at Chhapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Manoj Kumar(APP)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI
ORAL ORDER

5 20-03-2015 This is an application, made under Section 438 of the

Code of Criminal Procedure, seeking pre-arrest bail by the

petitioner, namely, Raj Kumar Choubey, in connection with

Bheldi Police Station Case No. 108 of 2011 under Sections

341/323/504/598A/34 of the Indian Penal Code.

Perused the above application and materials on record

including a copy of the order, dated 09.04.2014, passed in A.B.P.

No.1939 of 2011 by the learned Sessions Judge, Saran at Chapra,

dismissing the said application for pre-arrest bail.

Heard Mr. Yashraj Bardhan, learned counsel for the

petitioner, and, Mr. Manoj Kumar, the learned Additional Public

Prosecutor, appearing on behalf of the State.



In view of the fact that perusal of the materials on record does not reveal any such incriminating materials against the petitioner, which would warrant his custodial detention and interrogation, this Court is of the view that the petitioner has been able to make out a case calling for appropriate direction for pre-arrest bail.

Considering, therefore, the matter in its entirety and in the interest of justice, it is hereby directed that the petitioner above-named shall, in the event of his arrest/surrender in connection with the case aforementioned, be released on bail of Rs. 10,000/-, with two sureties of the like amount, subject to the satisfaction of the Officer-in-Charge, Bheldi Police Station, Saran District. This direction for bail is further subject to the condition that the petitioner above-named shall, within two weeks from today, appear before the Officer-in-Charge, Bheldi Police Station, and make himself available for interrogation by police at all reasonable time and 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 or her from disclosing such facts to the Court or to any police officer.

This application for pre-arrest bail shall stand disposed of in terms of the above observations and directions.

Let a copy of this order be sent, forthwith, to the
Officer-in-Charge, Bheldi Police Station, District Saran.

Send also a copy of this order, forthwith, to the
Superintendent of Police, Saran at Chapra, by fax.

(I. A. Ansari, J)

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