

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5520 of 2015

Arising Out of PS.Case No. -512 Year- 2014 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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Mantu Mahto S/O Bharat Mahto R/o Mohalla-Chhawari, ward no.5, P.S-
Bettiah(Town), Distt.-East Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party : Mr. C. Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

4 02-07-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Mantu Mahto, in connection with Bettiah (Town) Police Station Case No. 512 of 2014 under Section 366A read with Section 34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 23.01.2015, passed, in A.B.P. No. 1367 of 2014, by the learned Sessions Judge, West Champarn, Bettiah, dismissing the said application for pre-arrest bail. Also perused the statement of the alleged victim recorded, under Section 164 of the Code of Criminal Procedure, which does not provide any incriminating material against the present petitioner.

Heard Mr. Bimlesh Kumar Pandey, learned Counsel

for the petitioner, and Mr. C. Jawahar, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that perusal of 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 in connection with the case aforementioned, be released on bail of Rs. 10,000/-, with two sureties, each of the like amount, subject to the satisfaction of the Officer-in-Charge, Bettiah (Town) Police Station, West Champaran. 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, Bettiah (Town) Police Station, West Champaran, 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 them 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, Bettiah (Town) Police Station, West Champaran.

Send also a copy of this order, forthwith, to the Superintendent of Police, West Champaran, Bettiah, by fax.

(I. A. Ansari, J)

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