

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8671 of 2015

Arising Out of PS.Case No. -230 Year- 2014 Thana -SHEOHAR District- SHEOHAR

1. Jagdish Sah Son of Jagdish Sah
2. Deepak Kumar Son of Jagdish Sah Both resident of Village- Mirjapur,
Dhobahi, P.S- Sheohar, District- Sheohar.

.... Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioners : Dr. Alok Kumar Alok, Advocate
Mr. Hans Lal Kumar, Advocate

For the Opposite Party : Mr. Kalyan Shankar, APP

For the Informant : Mr. Ajay Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

5 09-07-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Jagidsh Sah and Deepak Kumar, in connection with Sheohar Police Station Case No. 230 of 2014 under Sections 341/323/307/379/504/506 read with Section 34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 09.02.2015, passed, in A.B.P. No. 6 of 2015, by the learned Sessions Judge, Sheohar, dismissing the said application for pre-arrest bail.

Heard Dr. Alok Kumar Alok, learned Counsel for the petitioner, and Mr. Kalyan Shankar, learned Additional Public Prosecutor, appearing on behalf of the State. Also heard Mr. Ajay

Kumar Sinha, learned Counsel, appearing on behalf of the informant.

In view of the fact that perusal of record as well as case diary does not reveal any such incriminating materials against the petitioners, which would warrant their custodial detention and interrogation, this Court is of the view that the petitioners have 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 petitioners above-named shall, in the event of their 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, Sheohar Police Station, Sheohar. This direction for bail is further subject to the condition that the petitioners above-named shall, within two weeks from today, appear before the Officer-in-Charge, Sheohar Police Station, Sheohar, and make themselves 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, Sheohar Police Station, Sheohar.

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

(I. A. Ansari, J)

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