

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8529 of 2015

Arising Out of PS.Case No. -359 Year- 2014 Thana -LAHERIASARAI District- DARBHANGA

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Md. Rizwan @ Raja S/o Md. Reza R/o Mohalla - Madarpur Ekmi, P.S.
Bahadarpur, District - Darbhanga

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner	:	Ms. Fauzia Shakil, Advocate
		Mr. Satish Kumar Sinha, Advocate
		Mr. Shailesh Kumar, Advocate
For the Opposite Party	:	Mr. R.B.S.Pahepuri, APP
For the Informant :		Mr. Pankaj Kumar Das, Advocate

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

5 16-07-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Md. Rizwan @ Raja, in connection with Laheriasarai Police Station Case No. 359 of 2014 under Section 406/419/420/467/468/471 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

Perused the above application and materials on record including a copy of the order, dated 05.02.2015, passed, in A.B.P. No. 1128 of 2014, by the learned Sessions Judge, Darbhanga, dismissing the said application for pre-arrest bail.

Heard Ms. Fauzia Shakil, learned Counsel for the petitioner, and Mr. R.B.S.Pahepuri, learned Additional Public Prosecutor, appearing on behalf of the State. Heard also Mr.

Pankaj Kumar Das, learned Counsel, appearing on behalf of the informant.

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, Laheriasarai Police Station, Darbhanga. 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, Laheriasarai Police Station, Darbhanga, 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, Laheriasarai Police Station, Darbhanga.

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

(I. A. Ansari, J)

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