

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16031 of 2015

Arising Out of PS.Case No. -253 Year- 2014 Thana -DARBHANGA SADAR District-
DARBHANGA

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Kameshwar Chaupal Son of Ram Autar Chaupal, Resident of Village -
Loam Pokhra, P.S. Sadar, District - Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party : Mr. Nirmal Kr.Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

3 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, Kameshwar Chaupal, in connection with Sadar Police Station Case No. 253 of 2014 under Section 498A/376/323/379 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Perused the above application and materials on record including a copy of the order, dated 16.12.2014, passed, in A.B.P. No. 1132 of 2014, by the learned Sessions Judge, Darbhanga, dismissing the said application for pre-arrest bail.

Heard Mr. Vinay Kumar Mishra, learned Counsel for the petitioner, and Mr. Nirmal Kumar Sinha, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that perusal of record does not

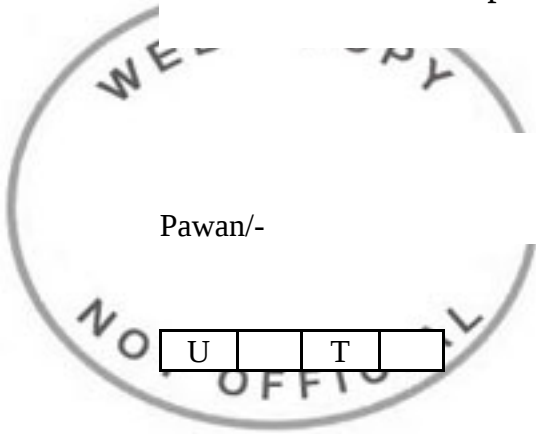
reveal any such incriminating materials against the petitioner, which would warrant his custodial detention and interrogation, this Court is of the view that the petitioner has been able to make out a case calling for appropriate direction for pre-arrest bail.

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, Sadar 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, Sadar 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, Sadar Police Station, Darbhanga.

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



(I. A. Ansari, J)