

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1501 of 2015

Arising Out of PS.Case No. -74 Year- 2009 Thana -MAHARAJGANJ District- SIWAN

1. Brij Kishore Giri Son of Dudhnath Giri
2. Dudhnath Giri Son of Late Ram Chandra Giri
3. Munna Giri Son of Brij Kishore Giri All Residents of Village - Shahpur
Ke Mathia, P.S- G.B. Nagar, District - Siwan.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

6 16-07-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Brij Kishore Giri, Dudhnath Giri and Munna Giri, in connection with Maharajganj (G.B.Nagar) Police Station Case No. 74 of 2009 under Sections 364/34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 18.11.2015, passed, in A.B.P. No. 1682 of 2014, by the learned Sessions Judge, Siwan, dismissing the said application for pre-arrest bail.

Heard Mr. Bijay Prakash Singh, learned Counsel for the petitioner, and Mr. Satyendra Prasad, 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 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, Maharajganj (G.B.Nagar) Police Station, Siwan. 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, Maharajganj (G.B.Nagar) Police Station, Siwan, 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, Maharajganj (G.B.Nagar) Police Station, Siwan.

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

(I. A. Ansari, J)

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