

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9278 of 2015

Arising Out of PS.Case No. -83 Year- 2013 Thana -SABOUR District- BHAGALPUR

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1. Wakil Yadav, Son of Ganesh Yadav,
2. Dharmendra Yadav, Son of Chattu Yadav,
3. Rajendra Yadav, Son of Narayan Yadav,
All are resident of village- Mirjapur, P.S.- Sabour, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Nath Jha, Advocate.

For the Opposite Party/s : Mr. Binod Kumar -III(APP)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI
ORAL ORDER

3 19-05-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Wakil Yadav, Dharmendra Yadav and Rajendra Yadav, in connection with Sabour Police Station Case No. 83 of 2013 under Sections 506/336/337/307 and other minor sections of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 18.07.2013, passed, in A.B.P. No. 924 of 2013, by the learned Sessions Judge, Bhagalpur, dismissing the said application for pre-arrest bail.

Heard Mr. Dharendra Nath Jha, learned Counsel for the petitioners, and Mr. Binod Kumar-III, learned Additional

Public Prosecutor, appearing on behalf of the State.

In view of the fact that perusal of the 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, Sabour Police Station, Bhagalpur. 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, Sabour Police Station, Bhagalpur, 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 his/her 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, Sabour Police Station, Bhagalpur.

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

(I. A. Ansari, J.)

Mkr./-

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