

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25139 of 2015

Arising Out of PS.Case No. -55 Year- 2014 Thana -PALANWA District-
EASTCHAMPARAN(MOTIHARI)

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1. Rustam Ansari son of Gyasuddin Ansari
2. Chhotu Ansari son of Gyasuddin Ansari
3. Gyasuddin Ansari son of Late Tabarak Ansari, All resident of village
Madhopur Madhumalat (Seikh Toli), P.S.- Turkauliya, District- East
Champaran at Motihari

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Vibhakar Kumar, Advocate

For the Opposite Party : Mr. S.M. Rahman, 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
petitioners, namely, Rustam Ansari, Chhotu Ansari and
Gyasuddin, in connection with Palanwa Police Station Case No.
55 of 2014 under Sections 406/420/120(B)/467/468/471/363/364/
34 of the Indian Penal Code.

Perused the above application and materials on record
including a copy of the order, dated 05.05.2015, passed, in A.B.P.
No. 0704 of 2015, by the learned Sessions Judge, East
Champaran, at Motihari, dismissing the said application for pre-
arrest bail.

Heard Mr. Vibhakar Kumar, learned Counsel for the
petitioner, and Mr. S.M.Rahman, 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, Palanwa Police Station, East Champaran. 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, Palanwa Police Station, East Champaran, 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, Palanwa Police Station, East Champaran.

Send also a copy of this order, forthwith, to the Superintendent of Police, East Champaran, at Motihari, by fax.

(I. A. Ansari, J)

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