

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14998 of 2015

Arising Out of PS.Case No. -580 Year- 2014 Thana -KAHALGAON. District- BHAGALPUR

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Kanhai Kumar Das Son of Kailash Das Resident of Village - Amapur, P.S.
Kahalgaon, District - Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party : Mr. Vinod Shankar Modi, APP

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

3 25-06-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Kanhai Kumar Das, in connection with Kahalgaon Police Station Case No. 580 of 2014 under Section 379/411 read with Section 34 of the Indian Penal Code.

Heard Mr. Ranjan Kumar Jha, learned Counsel for the petitioners, and Mr. Vinod Shankar Modi, learned Additional Public Prosecutor, appearing on behalf of the State.

Considering the fact that similarly situated co-accused have been granted the benefit of pre-arrest bail by a Bench of this by a Bench of this Court in Cr. Misc. No. 7873 of 2015, and in view of the fact that perusal of the materials on 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. It is, therefore, directed, in the interest of justice, 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 of the like amount, subject to the satisfaction of the Officer-in-Charge, Kahalgaon Police Station, District-Bhagalpur. 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, Kahalgaon Police Station, District-Bhagalpur, 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 him 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, Kahalgaon Police Station, District-Bhagalpur.

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

(I. A. Ansari, J.)

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