

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5399 of 2015

Arising Out of Nawhatta (Darhar O.P.) PS.Case No. -74 of 2013 Thana -
NAUHATTA District- SAHARSA

=====

1. Satto Rai @ Sato Rai Son of Ghuran Rai
2. Lalan Rai Son of Ghuran Rai
3. Shankar Rai Son of Ghuran Rai
4. Bhujdeo Rai Son of Satto Rai@Sato Rai
5. Roshan Rai@Roshan Ram Son of Satto Rai@Sato Rai
6. Dhurb Rai@Dhurup Rai Son of Satto Rai@Sato Rai
7. Gauri Rai Son of Bikho Rai
8. Gopal Rai Son of Bikho Rai
9. Chandra Kishore Rai@Chandar Kishor Rai Son of Bikho Rai
All are residents of vill-Sattor Tola Koela, P.S-Nauhatta (Darhar O.P),Distt.-Saharsa

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anant Kumar-1

For the Opposite Party/s : Mr. Dr. Ajit Kumar(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, Satto Rai @ Sato Rai, Lalan Rai, Shankar Rai, Bhujdeo Rai, Roshan Rai @ Roshan Ram, Dhurb Rai @ Dhurup Rai, Gauri Rai, Gopal Rai, Chandra Kishore Rai @ Chandar Kishor Rai, in connection with Nauhatta (Darhar O.P.) Police Station Case No. 74 of 2013 under Sections 147/148/149/341/323/504/307/427/379 of the Indian Penal Code.



Perused the above application, materials available in the case diary and materials on record including a copy of the order, dated 03.12.2013, passed, in A.B.P. No.500 of 2013, by the learned Sessions Judge, Saharsa, dismissing the said application for pre-arrest bail.

Heard Mr. Anant Kumar I, learned counsel for the petitioners, and Dr. Ajit Kumar, 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 of the like amount, subject to the satisfaction of the Officer-in-Charge, Nawhatta (Darhar) Police Station, Saharsa. 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, Nawhatta (Darhar) Police Station, 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, Nawhatta (Darhar) Police Station, District Saharsa.

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

(I. A. Ansari, J)

A.I./-

U			
---	--	--	--