

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5756 of 2015

Arising Out of Dumaria PS.Case No. -16 of 2014 Thana -DUMARIA
District- GAYA

=====

1. Prabhu Yadav son of Khijhhu Yadav
2. Shankar Yadav son of Ramdhani Yadav
3. Mosafir Yadav son of Manki Yadav
4. Suresh Yadav son of Manki Yadav All residents of Village- Bela , P.S-
Dumaria, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. Ashok Kumar (App)

=====

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

5 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, Prabhu Yadav, Shankar Yadav, Mosafir
Yadav and Suresh Yadav, in connection with Dumaria Police
Station Case No. 16 of 2014 under Section
147/148/149/341/323/324/325/326/427/504/506 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 24.11.2014, passed, in A.B.P. No.2206 of 2014, by the
learned Sessions Judge, Gaya, dismissing the said application for
pre-arrest bail.

Heard Mr. R.K.Singh, learned counsel for the petitioners, and Mr. Ashok 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, Dumaria Police Station, Gaya. 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, Dumaria 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, Dumaria Police Station, District Gaya.

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

(I. A. Ansari, J)

A.I./-

U			
---	--	--	--