

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1184 of 2015

Arising Out of Paroo PS.Case No. -210 Year- 2014 Thana -PAROO
District- MUZAFFARPUR

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1. Kaushal Kumar @ Kaushal Kishore S/o Late Jagdish Kumar Vidyarthi,
Resident of Village- Mohabbatpur, P.S. Deoriya, District- Muzaffarpur,
Headmaster, Middle High School Bada Daud, P.S.- Paroo, District-
Muzaffarpur

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Kumar Singh

For the Opposite Party/s : Mr. Shardanand Jha(APP)

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

3 14-05-2015 This is an application, made under Section 438 of the Code
of Criminal Procedure, seeking pre-arrest bail by the petitioner,
namely, Kaushal Kumar @ Kaushal Kishore in connection with
Paroo Police Station Case No. 210 of 2014 under Section 409 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 09.09.2014, passed, in A.B.P. No.1607 of 2014 by the
learned Sessions Judge, Muzaffarpur dismissing the said
application for pre-arrest bail.

Heard Mr. Ram Kumar Singh, learned counsel for the
petitioner, and Mr. Shardanand Jha, learned Additional Public

Prosecutor, appearing on behalf of the State.

Considering the fact that according to the materials on record, the petitioner assumed the charge of the office of headmaster of Middle School, Baradaud, Paroo, District Muzaffarpur, on 27.02.2013, whereas allotment of work, in question, had already been allotted during the financial year 2010-11 and 2011-12 for construction of three buildings in Middle School, Badadaud, and considering also 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.

Considering, therefore, the matter in its entirety and in the interest of justice, it is hereby directed 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, Paroo Police Station, Muzaffarpur. 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, Paro Police Station, 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, Paro Police Station, District Muzaffarpur

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

(I. A. Ansari, J)

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