

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47295 of 2014

Arising Out of PS.Case No. -1391 Year- 2012 Thana -GAYA COMPLAINT CASE District- GAYA

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1. Dharmendra Yadav Son of Babulal Yadav Resident of village - Jolah Bigha, P.S.- Khijarsarai, District - Gaya,Bihar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rita Kumari Wife of Dharmendra Yadav and D/o- Rameshwar Yadav Resident of village - Naitupur, P.S.- Belaganj, District - Gaya, Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brijeshwar Narayan Singh, Advocate.

For the Opposite Party/s : Ms. Veena Rani Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

5 10-07-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Dharmendra Yadav, in connection with Complaint Case No. 1391 of 2012 (TR No. 1907 of 2014) under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Perused the above application and materials on record including a copy of the order, dated 06.05.2014, passed, in A.B.P. No. 81 of 2014/236 of 2014, by the learned Sessions Judge, Gaya, dismissing the said application for pre-arrest bail.

Heard Mr. Brijeshwar Narayan, learned Counsel for the petitioner, and Ms. Veena Rani Prasad, learned Additional

Public Prosecutor, appearing on behalf of the State.

In view of the fact that perusal of the 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, each of the like amount, subject to the satisfaction of the Officer-in-Charge, Khijarsarai Police Station, Gaya. 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, Khijarsarai Police Station, Gaya, 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/her 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, Khijarsarai Police Station, Gaya.

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

(I. A. Ansari, J.)

Mkr./-

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