

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51544 of 2014

Arising Out of PS.Case No. -332 Year- 2014 Thana -BIRAUL District- DARBHANGA

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1. Ushakar Chaudhary Son of Shri Rati Kanti Chaudhary Resident of
village - Pokhram, P.S. Biraul, Distt. - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nikhil Kumar Agrawal, Advocate.

For the Opposite Party/s : Mr. Anand Kishor Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

6 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, Ushakar Chaudhary, in connection with Biraul Police Station Case No. 332 of 2014 under Sections 341/323/307/504/34 of the Indian Penal Code and Section 3 of Dowry Prohibition Act.

Perused the above application and materials on record including a copy of the order, dated 19.11.2014, passed, in A.B.P. No. 367 of 2014, by the learned Sessions Judge, Camp Court, Benipur, Darbhanga, dismissing the said application for pre-arrest bail.

Heard Mr. Nikhil Kumar Agrawal, learned Counsel for the petitioner, and Mr. Anand Kishore Choudhary, 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, Biraul Police Station, Darbhanga. 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, Biraul Police Station, Darbhanga, 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, Biraul Police Station, Darbhanga.

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

(I. A. Ansari, J.)

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