

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51071 of 2014

Arising Out of Mahila PS.Case No. -26 of 2014 Thana -MAHILA P.S.
District- NALANDA (BIHARSHARIFF)

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1. Rakesh Kumar S/o Chandrika Mahto R/o Village- Dariyapur, P.S.
Chandi, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binit Kumar

For the Opposite Party/s : Mr. Anant Kumar(APP)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

3 07-05-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Rakesh Kumar, in connection with Mahila Police Station Case No. 26 of 2014 under Section 498A of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 10.11.2014, passed, in A.B.P. No.1275 of 2014, by the learned Sessions Judge, Nalanda at Biharsharif, dismissing the said application for pre-arrest bail.

Heard Mr. Binit Kumar, learned counsel for the petitioner, and Mr. Anant 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 material 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, Mahila Police Station, Nalanda at Biharsharif. 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, Mahila 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, Mahila Police Station, District Nalanda at Biharsharif.

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

(I. A. Ansari, J)

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