

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19 of 2015

Arising Out of Gopalpur PS.Case No. -85 of 2014, Thana -GOPALPUR
District- GOPALGANJ

Rabindra Mishra @ Rabindra Kumar Mishra, S/o late Dukhaharn Mishra,
R/o village Udakara, P.S. Gopalpur, District Gopalganj

.... Petitioner

Versus

1. The State of Bihar
2. Rinki Mishra, W/o Rabindra Mishra, D/o Subhash Mishra, R/o village
Udakara, P.S. Gopalpur, District Gopalganj

.... Opposite Parties

Appearance:

For the Petitioner : Mr. Shekhar Singh
and

Mr. Satyendra Rai

For the Opposite Party No.1: Mr. Abhay Kumar No.1

For the Opposite party No.2: Mr. Ajay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

5 02-07-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Rabindra Mishra alias Rabindra Kumar Mishra, in connection with Gopalpur Police Station Case No. 85 of 2014 under Sections 498A/323/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Perused the above application and materials on record including a copy of the order, dated 5.11.2014, passed, in A.B.P. No.1671 of 2014/1615/14, by the learned Sessions Judge, Gopalganj, dismissing the said application for pre-arrest bail.

Heard Mr. Shekhar Singh, learned counsel for the

petitioner, and Mr. Abhay Kumar 1, learned Additional Public Prosecutor, appearing on behalf of the State. Also heard Mr. Ajay Kumar Tiwary, learned counsel for the informant.

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 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, Gopalpur Police Station, Gopalganj . 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, Gopalpur 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, Gopalpur Police Station, District Gopalganj.

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

(I. A. Ansari, J)

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