

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26157 of 2014

Arising Out of Complaint Case No. -251 Year- 2009, COMPLAINT CASE,
District- VAISHALI (HAJIPUR)

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1. Vinay Kanani Son of Madhava Das Kanani Resident of Mohalla-
Muradpur, P.O.-Bankipur, P.S.-Pirbahore, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar

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

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

5 20-03-2015 This is an application, made under Section 438 of the Code
of Criminal Procedure, seeking pre-arrest bail by the petitioner,
namely, Vinay Kanani, in connection with Complaint Case No.
251 of 2009 under Section 379 of the Indian Penal Code.

Perused the above application and materials on record
including a copy of the order, dated 23.03.2013, passed in A.B.P.
No.327 of 2012, by the learned Sessions Judge, Vaishali at
Hajipur, dismissing the said application for pre-arrest bail.

Heard learned counsel for the petitioner, and the
learned Additional Public Prosecutor, appearing on behalf of the
State.

In view of 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/surrender 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, Hajipur Town Police Station. 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, Hajipur Town 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 or 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, Hajipur Town Police Station, District Vaishali.

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

(I. A. Ansari, J)

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