

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38396 of 2014

Arising Out of PS.Case No. -547 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Sunil Kumar Pandey, Son of Late Sushil Kishore Pandey, Resident of
Village Gamhariya, P.S. Basopatti District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kalpana Kumari, Wife of Sunil Kumar Pandey, Daughter of late
Ratnesh Prasad Tiwary, Resident of Village Ukhara P.S. Nanpur,
District - Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate.

For the Opposite Party/s : Mr. Kanhaiya Kishore(APP)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI
ORAL ORDER

2 16-04-2015 This is an application, made under Section 438 of

the Code of Criminal Procedure, seeking pre-arrest bail by the

petitioner, namely, Sunil Kumar Pandey, in connection with

Complaint Case No. C-1/547 of 2013, Trial No.1463 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 27.08.014, passed, in

A.B.P. No.1008 of 2014, by the learned Sessions Judge,

Sitamarhi, dismissing the said application for pre-arrest bail.

Heard Mr. Vishwanath Prasad Sinha, learned

counsel for the petitioner, and Mr. Kanhaiya Kishore, learned

Additional Public Prosecutor, appearing on behalf of the State.

Heard also Mr. Madhubala Verma, learned Counsel, appearing on behalf of the informant.

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 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 concerned Officer-in-Charge. This direction for bail is further subject to the condition that the petitioner above-named shall, within two weeks from today, appear before the concerned Officer-in-Charge, 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 concerned Officer-in-Charge, District Sitamarhi.

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

(I. A. Ansari, J.)

Mkr./-

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