

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46888 of 2014

Arising Out of Itarhi PS.Case No. 162 of 2014 Thana -ITARHI District-
BUXAR

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1. Upendra Ram S/o Suredra Ram, Resident of Village Ghenuriya, P.S.
Itarhi, District Buxar.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashwini Kumar Rai

For the Opposite Party/s : Mr. Tarun Pd.Mandal(APP)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

2 23-04-2015 This is an application, made under Section 438 of the Code
of Criminal Procedure, seeking pre-arrest bail by the petitioner,
namely, Upendra Ram, in connection with Itarhi Police Station
Case No. 162/2014 under Section 376/506 of the Indian Penal
Code.

Perused the above application and materials on record
including a copy of the order, dated 05.11.2014, passed, in A.B.P.
No.852 of 2014, by the learned Sessions Judge, Buxar, dismissing
the said application for pre-arrest bail.

Heard Mr. Ashwini Kumar Rai, learned counsel for
the petitioner, and Mr. Tarun Pd. Mandal, 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 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, Itarhi Police Station, Buxar. 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, Itarhi 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, Itarhi Police Station, District Buxar.

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

(I. A. Ansari, J)

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