

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46138 of 2014

Arising Out of PS.Case No. -161 Year- 2013 Thana -DULHIN BAZAR District- PATNA

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1. Gagan Kumar @ Gagan Kumar Sharma, Son of Gauri Shankar Sharma,
Resident of village- Pipardahan, P.S.- Paliganj, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Goutam, Advocate.

For the Opposite Party/s : Mr. Asha Kumari (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, Gagan Kumar @ Gagan Kumar Sharma, in connection with Dulhin Bazar Police Station Case No. 161 of 2013 under Sections 366A/34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 21.10.2014, passed, in A.B.P. No.22138 of 2014, by the learned 1st Additional Sessions Judge, Patna, dismissing the said application for pre-arrest bail.

Heard Mr. Kumar Goutam, learned counsel for the petitioner, and Ms. Asha Kumari, 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, Dulhin Bazar Police Station, Patna. 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, Dulhin Bazar Police Station, Patna, 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, Dulhin Bazar Police Station, District Patna.

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

(I. A. Ansari, J.)

Mkr./-

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