

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50852 of 2014

Arising Out of PS.Case No. -297 Year- 2013 Thana -MARHAURA District- SARAN

=====

Santosh Rai Son of Shankar Rai Resident of Village - Gaura Baran Police Station - Morhowrah, District - Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Basant Kumar Singh, Advocate

For the Opposite Party : Dr. Indihar Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

3 30-04-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Santosh Rai, in connection with Morhorah Police Station Case No. 297 of 2013 under Sections 141/341/323/324/307/379 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 17.10.2014, passed, in A.B.P. No. 1738 of 2014, by the learned Sessions Judge, Saran At Chapra, dismissing the said application for pre-arrest bail, and the injury report (Annexure-2).

Heard Mr. Basant Kumar Singh, learned Counsel for the petitioner, and Dr. Indihar 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, each of the like amount, subject to the satisfaction of the Officer-in-Charge, Morhowrah Police Station, District-Saran at Chapra. 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, Morhowrah Police Station, District-Saran at Chapra, 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 them 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, Morhowrah Police Station, District-Saran at
Chapra.

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

(I. A. Ansari, J)

Pawan/-

U		T	
---	--	---	--