

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50976 of 2014

Arising Out of PS.Case No. -224 Year- 2014 Thana -BIHIYA District- BHOJPUR

- =====
1. Harendra Singh Son of Late Bishwanath Singh
 2. Rudal Singh Son of Late Yogendra Singh
 3. Hareshwar Kumar Son of Sri Surendra Singh, All Resident of Village - Basdeopur, P.S.- Behea, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jiwan Prakash Sinha, Advocate.

For the Opposite Party/s : Mr. Shyam Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

2 30-04-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Harendra Singh, Rudal Singh and Hareshwar Kumar, in connection with Behia Police Station Case No. 224 of 2014 under Sections 504/379/34 and other minor sections of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 01.12.2014, passed, in A.B.P. No. 1712 of 2014, by the learned Sessions Judge, Bhojpur, Arrah, dismissing the said application for pre-arrest bail.

Heard Mr. Jiwan Prakash Sinha, learned Counsel for the petitioners, and Mr. Shyam Kumar Singh, 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 petitioners, which would warrant their custodial detention and interrogation, this Court is of the view that the petitioners have been able to make out a case calling for appropriate direction for pre-arrest bail.

Considering the fact that there is case and counter case between the parties and none of the injuries was found to be grievous in nature caused by sharp cutting weapon, it is hereby directed that the petitioners above-named shall, in the event of their 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, Behia Police Station, Bhojpur, Arrah. This direction for bail is further subject to the condition that the petitioners above-named shall, within two weeks from today, appear before the Officer-in-Charge, Behia Police Station, Bhojpur, at Arrah, and make themselves 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 his/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, Behia Police Station, Bhojpur, at Arrah.

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

(I. A. Ansari, J.)

Mkr./-

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