

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51048 of 2014

Arising Out of Ujiarpur PS.Case No. -40 of 2013 Thana -UJIYARPUR
District- SAMASTIPUR

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1. Ajay Mehra @ Ajay Kumar @ Ajay Kumar Mehra S/o Late Vinod
Kumar, resident of 17/61A, Tilak Nagar, New Delhi

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha

For the Opposite Party/s : Mr. C.Sen Prasad 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
petitioner, namely, Ajay Mehra @ Ajay Kumar @ Ajay Kumar
Mehra, in connection with Ujiarpur Police Station Case No. 40 of
2013 under Sections 420/406/467/468/34 of the Indian Penal
Code.

Perused the above application and materials on record
including a copy of the order, dated 04.04.2014, passed, in A.B.P.
No.69 of 2014, by the learned Sessions Judge, Samastipur,
dismissing the said application for pre-arrest bail.

Heard Mr. Ashok Kumar Sinha, learned counsel for the
petitioner, and Mr. C. Sen Prasad Singh, learned Additional Public
Prosecutor, appearing on behalf of the State.



The submission of the learned counsel for the petitioner is that Ujiarpur P.S. Case No. 40 of 2013 has been instituted implicating the petitioner as accused in retaliation of Tilak Nagar P.S. Case No. 92 of 2013, which was lodged at the instance of the petitioner's wife, when the petitioner was abducted and demand of ransom was made and, during investigation, the petitioner was recovered from village Said Pur Jahid, Police Station Ujiar Pur, P.O. Rupoli, District Samastipur, and in order to put pressure on the petitioner not to pursue the case aforementioned lodged by his wife, Ujiarpur P.S. Case No. 40 of 2013 has been belatedly instituted by making false allegations.

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, Ujiarpur Police Station, Samastipur. 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, Ujiarpur 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, Ujiarpur Police Station, District Samastipur.

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

(I. A. Ansari, J)

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