

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41900 of 2014

Arising Out of PS.Case No. -117 Year- 2013 Thana -LAUKARIA District-
WESTCHAMPARAN(BETTIAH)

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Birendra Singh, S/o. Chhatradhari Singh, Resident of Village- Panchgawa,
P.S. Semra, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav, Advocate.

For the Opposite Party/s : Mr. Harendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI
ORAL ORDER

2 07-05-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Birendra Singh, in connection with Laukaria (Pathkauli) Police Station Case No. 117 of 2013 under Section 186/34 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

Perused the above application and materials on record including a copy of the order, dated 19.09.2014, passed, in A.B.P. No. 350 of 2014, by the learned Sessions Judge, West Champaran, at Bettiah, dismissing the said application for pre-arrest bail.

Heard Mr. Binod Kumar Yadav, learned Counsel for the petitioner, and Mr. Harendra Prasad, 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, Laukaria (Pathkauli) Police Station, West Champaran, at Bettiah. 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, Laukaria (Pathkauli) Police Station, West Champaran, at Bettiah, 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, Laukaria (Pathkauli) Police Station, West Champaran, at Bettiah.

Send also a copy of this order, forthwith, to the Superintendent of Police, West Champaran, at Bettiah, by fax.

(I. A. Ansari, J.)

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