

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42138 of 2014

Arising Out of PS.Case No. -453 Year- 2014 Thana -BIHTA District- PATNA

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1. Bade Ansari @ Kamaluddin S/o Saukat Ansari,
 2. Kaleem Ansari S/o Saukat Ansari,
 3. Gudia @ Gudia Khatoon, D/o Shaukat Ansari. All are Resident of Village Nagar Bihta, P.O. Bihta, P.S. Bihta, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Advocate.

For the Opposite Party/s : Mr. Ram Shankar Das(APP)

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

3 14-05-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Bade Ansari @ Kamaluddin, Kaleem Ansari and Gudia @ Gudia Khatoon, in connection with Bihta Police Station Case No. 453 of 2014 under Sections 341/323/504 of the Indian Penal Code and Section 3(x) SC/ST Act.

Perused the above application and materials on record including a copy of the order, dated 06.09.2014, passed, in A.B.P. No. 21953 of 2014, by the learned 1st Additional Sessions Judge, Patna, dismissing the said application for pre-arrest bail.

Heard Md. Helal Ahmad, learned Counsel for the petitioners, and Mr. Ram Shankar Das, learned Additional Public

Prosecutor, appearing on behalf of the State.

In view of the fact that perusal of the 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, therefore, the matter in its entirety and in the interest of justice, 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, Bihta Police Station, Patna. 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, Bihta Police Station, Patna, 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 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, Bihta Police Station, Patna.

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

(I. A. Ansari, J.)

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