

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16148 of 2015

Arising Out of Bhagwan Bazar PS.Case No. -15 of 2015 Thana -
BHAGWAN BAZAR District- SARAN

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1. Arjun @ Arjun Kumar son of Ram Babu Sah
2. Rajan Kumar @ Ranjan Kumar son of Late Rameshwar Rai, Both
Residents of village- Grahitir, P.S.- Bhagwan Bazar, District- Saran at
Chapra (Bihar)

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Iftekhar Mahmood(APP)

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

4 10-07-2015 Pursuant to the order, dated 03.06.2015, bail petition of
petitioner No.1, namely, Arjun @ Arjun Kumar, has already been
withdrawn by learned counsel for the petitioner, as the petitioner
No.1, has already been arrested by the police.

This is an application, made under Section 438 of the
Code of Criminal Procedure, seeking pre-arrest bail by the
petitioner No.2, namely, Rajan Kumar @ Ranjan Kumar, in
connection with Bhagwan Bazar Police Station Case No. 15 of
2015 under Section 147/148/341/324/307/506/120(B) of the
Indian Penal Code.

Perused the above application, materials available in the
case diary and materials on record including a copy of the order,

dated 04.03.2015, passed, in A.B.P. No.432 of 2015, by the learned Sessions Judge, Saran at Chapra, dismissing the said application for pre-arrest bail.

Heard Mr. Rakesh Kumar, learned counsel for the petitioner No.2, and Mr. Iftekhhar Mahmood, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that perusal of record does not reveal any such incriminating materials against the petitioner No.2, which would warrant his custodial detention and interrogation, this Court is of the view that the petitioner No.2 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 No.2 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, Bhagwan Bazar Police Station, Saran at Chapra. This direction for bail is further subject to the condition that the petitioner No.2 above-named shall, within two weeks from today, appear before the Officer-in-Charge, Bhagwan Bazar 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, Bhagwan Bazar Police Station, District Saran at Chapra.

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

(I. A. Ansari, J)

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