

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12977 of 2015

Arising Out of Alamganj PS.Case No. -121 of 2014 Thana -ALAMGANJ
District- PATNA

=====

1. Nishant Kumar Rai, Son of Jagdeo Rai Resident of B.N.R. Road, P.S. -
Alamganj, District - Patna

.... Petitioner

Versus

1. The State of Bihar
2. Lata Kumari, Wife of Nishant Kumar Rai, Daughter of Deo Narayan
Yadav Resident of Raniganj (Diwan Tola, P.S. - Raniganj, District
Patna, at present residing at Ranjits House, Saheb Colony, New Khajoor
Banna, P.S. - Alamganj, District - Patna-800006

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr.Rajesh Tripathi

For the Opposite Party-State : None

For the informant-Opposite party No.2: Mr. Vijay Krishna Tiwari

=====

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

2 29-04-2015 This is an application, made under Section 438 of the

Code of Criminal Procedure, seeking pre-arrest bail by the

petitioner, namely, Nishant Kumar Rai, in connection with

Alamganj Police Station Case No. 121 of 2014 under Section

498A/323/313/34 of the Indian Penal Code.

Perused the above application and materials on record

including a copy of the order, dated 10.06.2014, passed, in A.B.P.

No.20158 of 2014, by the learned Sessions Judge, Patna,

dismissing the said application for pre-arrest bail.

Heard Mr. Rajesh Tripathy, learned counsel for the

petitioner, and Mr. Vijay Krishna Tiwari, learned counsel for the opposite party No.2. None has appeared on behalf of the State to oppose the application for anticipatory bail.

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, Alamganj Police Station, Patna. 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, Alamganj 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, Alamganj Police Station, District Patna.

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

(I. A. Ansari, J)

A.I./-

U			