

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39048 of 2014

Arising Out of PS.Case No. -663 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

- =====
1. Md. Yaqub Son of Late Hanif Resident of Mohalla - Qurban Road Chandwara, P.O. Muzaffarpur, P.S. Town Muzaffarpur, District - Muzaffarpur
 2. Abdul Rashid Son of Late Haji Abdul Rahman Resident of Mohalla - Mokarri, Chandwara, P.O. Muzaffarpur, P.S. Town Muzaffarpur, District - Muzaffarpur
 3. Md. Idris Son of Late Md. Yaqub Resident of Mohalla - Ashiyana Colony, Behind Amrud Bagan, P.O. Ramna, P.S. Ahiyapur, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Md. Azam, son of Late Idris, Resident of Mohalla - Chandwara, P.S. Town Muzaffarpur, District - Muzaffarpur

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Priyank Samdarshi, Advocate

For the Opposite Party No.1: Mrs. Veena Kri.Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

3 16-04-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Md. Yaqub, Abdul Rashid and Md. Idris, in connection with Complaint Case No.663 of 2014 under Section 420/467/468/471/472/120(B) of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 14.08.2014, passed in A.B.P. No.1400 of 2014, by the learned Sessions Judge, Muzaffarpur, dismissing the said application for pre-arrest bail.

Heard Mr. Priyank Samdarshi, learned Counsel

for the petitioner, and Mrs. Veena Kumari Jaiswal, 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 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 of concerned Police Station. 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 of concerned Police Station, 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.

(I. A. Ansari, J)

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