

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46189 of 2014

Arising Out of PS.Case No. -303 Year- 2014 Thana -BIHTA District- PATNA

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1. Jay Prakash Narayan @ Loha, Son of Suraj Prasad,
 2. Dhananjay Kumar @ Dhananjay Pd. Sadik @ Dhanjay Prasad Saundik, Son of Suraj Prasad,
 3. Punit Kumar Son of Vijay Prasad Saundik,
 4. Ranjeet Kumar, Son of Vinay Prasad Saundik, All Resident of Village - Lai, 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. Kumar Goutam, Advocate.

For the Opposite Party/s : Mr. Ganesh Prasad Singh (APP)

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

2 23-04-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Jay Prakash Narayan @ Loha, Dhananjay Kumar @ Dhanjay Prasad Sadik@ Dhanjay Prasad Saundik, Punit Kumar and Ranjeet Kumar, in connection with Bihta Police Station Case No. 303 of 2014 under Sections 341/323/324/307/506/34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 17.10.2014, passed, in A.B.P. No.21805 of 2014, by the learned Sessions Judge, Patna, dismissing the said application for pre-arrest bail.

Heard Mr. Kumar Goutam, learned counsel for the

petitioners, and Mr. Ganesh Prasad Singh, learned Additional Public Prosecutor, appearing on behalf of the State.

It is submitted by learned counsel for the petitioners that he does not press the bail application of petitioner No.1 Jay Prakash Narayan @ Loha as this applicant has already been arrested.

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, namely, Dhananjay Kumar @ Dhanjay Prasad Sadik @ Dhanjay Prasad Saundik, Punit Kumar and Ranjeet Kumar, shall, in the event of their arrest in connection with the case aforementioned, be released on bail of Rs. 10,000/-, with two sureties of the like amount each, 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 petitioner 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 him or 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, Bihta Police Station, District Patna.

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

(I. A. Ansari, J.)

Mkr./-

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