

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50787 of 2014

Arising Out of PS.Case No. -315 Year- 2014 Thana -PIRO District- BHOJPUR

- =====
1. Deo Lochan Singh Son of Bhuneshwar Singh Resident of village - Bahera P.S - Araah (Muffasil), District - Bhojpur at present Panchayat Sewak in Brahra Block, Distt - Bhojpur.
 2. Bijay Kumar Dubey S/o Shiv krit Dubey, Resident of Ganghar P.S - Arrah(Muffasil), District- Bhojpur at present Panchayat sewak in Piro Block, Distt Bhojpur.
 3. Ram Jee Singh Son of Late Mangru Singh Resident of village- Hasanpura P.s - Arrah (Muffasil) District- Bhojpur at present Panchayat sewak in Trari Block, Distt- Bhojpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Amrendra Narayan Rai, Advocate

For the Opposite Party : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

3 30-04-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Deo Lochan Singh, Bijay Kumar Dubey and Ram Jee Singh, in connection with Piro Police Station Case No. 315 of 2014 under Section 409/420 read with Section 34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 14.11.2014, passed, in A.B.P. No. 1741 of 2014, by the learned Sessions Judge, Bhojpur, Arrah, dismissing the said application for pre-arrest bail and, order, dated 07.01.2015, passed in Cr. Misc. No. 349 of 2015 and order, dated

06.02.2015, passed in Cr. Misc. No. 5103 of 2015, by a Bench of this Court granting benefit of pre-arrest bail to the similarly situated co-accused.

Heard Mr. Amrendra Kumar Rai, learned Counsel for the petitioners, and Mr. Sanjay Kumar Pandey, 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 the fact that similarly situated co-accused have been granted benefit of pre-arrest bail by a Bench of this Court by order, dated 07.01.2015, passed in Cr. Misc. No. 349 of 2015 and order, dated 06.02.2015, passed in Cr. Misc. No.5103 of 2015, 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 of the like amount, subject to the satisfaction of the Officer-in-Charge, Piro Police Station, District-Bhojpur, Arrah. 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, Piro Police Station, District-Bhojpur, Arrah, 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 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, Piro Police Station, District-Bhojpur, Arrah.

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

(I. A. Ansari, J)

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