

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8922 of 2015

Arising Out of PS.Case No. -74 Year- 2013 Thana -UJIYARPUR District- SAMASTIPUR

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1. Vishundeo Jha @ Bishundeo Jha @ Bishnudeo Jha Son of Devkant Jha
Resident of village - Chhapra, Police Station - Ujarpur, District -
Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Choudhary Shyam Nandan, Adv.

For the Opposite Party/s : Mr. Nirmal Kr.Sinha(APP)

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

3 19-05-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Vishundeo Jha @ Bishundeo Jha @ Bishnudeo Jha, in connection with Ujarpur Police Station Case No. 74 of 2013 under Sections 376/511/504 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 23.10.2013, passed, in A.B.P. No. 21C of 2013, by the learned Sessions Judge, Samastipur camp at Dalsingsarai, dismissing the said application for pre-arrest bail.

Heard Mr. Choudhary Shyam Nandan, learned Counsel for the petitioner, and Mr. Nirmal Kumar Sinha, 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 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, each of the like amount, subject to the satisfaction of the Officer-in-Charge, Ujiarpur Police Station, Samastipur. 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, Ujiarpur Police Station, Samastipur, 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 his/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, Ujiyarpur Police Station, Samastipur.

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

(I. A. Ansari, J.)

Mkr./-

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