

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50936 of 2014

Arising Out of PS.Case No. -247 Year- 2013 Thana -ROSERA District- SAMASTIPUR

=====

1. Rakesh Kumar Sahu @ Rakesh Kumar Sah, Son of Deo Narayan Sah,
Resident of Village - Dagavar Toli, P.S.-Rosera, District –Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sujit Kumar Singh, Advocate.

For the Opposite Party/s : Mr. L.K.Sharma(APP)

=====

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 petitioner, namely, Rakesh Kumar Sahu @ Rakesh Kumar Sah, in connection with Rosera Police Station Case No. 247 of 2013 under Section 364A read with Section 34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 10.10.2014, passed, in A.B.P. (R) No. 54 of 2014, by the learned Additional Sessions Judge, Rosera, Samastipur, dismissing the said application for pre-arrest bail and, order, dated 20.03.2015, passed in Cr. Misc. No. 43497 of 2014, by a Bench of this Court granting benefit of pre-arrest bail to the similarly situated co-accused.

Heard Mr. Sujit Kumar Singh, learned Counsel for

the petitioner, and Mr. L.K. Sharma, 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 their 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 the fact that similarly situated co-accused has been granted benefit of pre-arrest bail by a Bench of this Court by order, dated 20.03.2015, passed in Cr. Misc. No. 43497 of 2014, 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, Rosera Police Station, District-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, Rosera Police Station, District-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 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, Rosera Police Station, District-Samastipur.

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

Mkr./-

(I. A. Ansari, J.)

U		T	
---	--	---	--