

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50812 of 2014

Arising Out of PS.Case No. -56 Year- 2013 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

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Kodai Rai @ Yado Rai S/o Ramanand Rai Resident of Village Amda, P.S.
Turkaulia, District East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party : Mr. Jitendra Kumar Singh 1, 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 petitioner, namely, Kodai Rai @ Yado Rai, in connection with Pipra Kothi Police Station Case No. 56 of 2013 under Sections 420/467/468/471/120B/323/379/504/506 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 26.05.2014, passed, in A.B.P. No. 2785 of 2013, by the learned Sessions Judge, East Champaran at Motihari, dismissing the said application for pre-arrest bail.

Heard Mr. Umesh Chandra Verma, learned Counsel for the petitioner, and Mr. Jitendra Kumar Singh 1, 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, Pipra Kothi Police Station, East Champaran at Motihari. 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, Pipra Kothi Police Station, East Champaran at Motihari, 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 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.

Let a copy of this order be sent, forthwith, to the Officer-in-Charge, Pipra Kothi Police Station, East Champaran at Motihari.

Send also a copy of this order, forthwith, to the Superintendent of Police, East Champaran at Motihari, by fax.

(I. A. Ansari, J)

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