

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.14891 of 2015**

Arising Out of PS.Case No. -64 Year- 2014 Thana -ITADHI District- BUXAR

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Baidya Nath Singh @ Baidya Nath Yadav Son of Shyam Bihari Yadav,  
Resident of Village - Basudhar, P.S. Itarhi, District - Buxar.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Rajendra Narain, Senior Advocate

Mr. Satyapal Singh, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI**

**ORAL ORDER**

3      25-06-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Baidya Nath Singh @ Baidya Nath Yadav, in connection with Itarhi Police Station Case No. 64 of 2014 under Section 302/201 read with Section 34 of the Indian Penal Code.

Heard Mr. Rajendra Narain, learned Senior Counsel for the petitioner, and Mr. Sanjay Kumar Sharma, learned Additional Public Prosecutor, appearing on behalf of the State.

The informant has alleged that on 08.05.2014, her husband, namely, Anish Yadav, had telephoned her, on mobile number 8521472101 from his mobile number 8084546231, saying that the petitioner herein and others were killing him and, thereafter, the mobile was switched off, but the relevant call details, collected by the police during investigation, show that no

phone call was made from Anish Yadav's mobile to the informant's mobile between 05.05.2014 and 14.05.2014.

Considering the fact aforementioned and also the fact that similarly situated co-accused have been granted the benefit of pre-arrest bail by a Bench of this Court by order, dated 10.04.2015, passed by a Bench of this Court in Cr. Misc. No. 14746 of 2015, it is hereby, in the interest of justice, 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, Itarhi Police Station, District-Buxar. 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, Itarhi Police Station, District-Buxar, 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, Itarhi Police Station, District-Buxar.

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

**(I. A. Ansari, J)**

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