

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14775 of 2015

Arising Out of PS.Case No. -293 Year- 2014 Thana -GAYA KOTWALI District- GAYA

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Md. Mehtab @ Md. Mahtab Son of Late Unush Miyan resident of Mohalla
- Kashab Tola, Haridas Chatterjee Lane, P.S. Civil Lines, District - Gaya,
Bihar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surendra Kr. Singh, Advocate
Mr. Tulika Singh, Advocate

For the Opposite Party : Mr. Ram Anurag Singh, APP

For the Informant : Mr. Abhay Kumar Singh, Senior Advocate

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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

petitioner, namely, Md. Mehtab @ Mehtab, in connection with

Kotwali Police Station Case No. 293 of 2014 under Section

364/302/201/120B of the Indian Penal Code.

Perused the above application and materials on
record including a copy of the order, dated 12.02.2015, passed, in
A.B.P. No. 1255 of 2014, by the learned Sessions Judge, Gaya,
dismissing the said application for pre-arrest bail.

Heard Mr. Surendra Kumar Singh, learned Counsel
for the petitioner, and Mr. Ram Anurag Singh, learned Additional
Public Prosecutor, appearing on behalf of the State. Also heard
Mr. Abhay Kumar Singh, learned Senior Counsel, appearing for

the informant.

In view of the fact that perusal of the materials on record does not reveal any such cogent and specific 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, Kotwali Police Station, Gaya. 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, Kotwali Police Station, Gaya, 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, Kotwali Police Station, Gaya.

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

(I. A. Ansari, J)

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