

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46216 of 2014

Arising Out of PS.Case No. -825 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Sanjay Kumar @ Sanjay Kumar Suman, S/o. Gajendra Mehta, resident of village balutola Nirpur, Police Station Bajhara Kothi, at present residing at Mohalla Saheban Tola Aakaswani, Purnia, Police Station K. Hat, District-Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambuj Nayan Chaubey, Advocate.

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

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

2 23-04-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Sanjay Kumar @ Sanjay Kumar Suman, in connection with Complaint Case No. 825 of 2013 under Section 406 of the Indian Penal Code and Section 138 of the Negotiable Instrument Act.

Perused the above application and materials on record including a copy of the order, dated 06.09.2014, passed, in A.B.P. No. 473 of 2014, by the learned Sessions Judge, Katihar, dismissing the said application for pre-arrest bail.

Heard Mr. Ambuj Nayan Chaubey, learned Senior Counsel for the petitioner, and Mr. Nirmal Kumar Sinha, learned Additional Public Prosecutor, appearing on behalf of the State.

Heard also learned counsel for the complainant.

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 of the like amount, subject to the satisfaction of the concerned Officer-in-Charge. This direction for bail is further subject to the condition that the petitioner above-named shall, within two weeks from today, appear before the concerned Officer-in-Charge, 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/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 concerned Officer-in-Charge, District Katihar.

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

(I. A. Ansari, J.)

Mkr./-

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