

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51038 of 2014

Arising Out of PS.Case No. -188 Year- 2014 Thana -SIMRI District- BUXAR

=====

Dinesh Mehta (Panchayat Secretary of Kharahatar) S/o- Late Brinda Nand Prasad, Resident of village- Banauli, P.S.- Narayanpur, District- Bhojpur
..... Petitioner

Versus

The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner : Mr. Binod Kumar Singh, Advocate

For the Opposite Party : Mr. M.K. Khare, APP

=====

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

2 30-04-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Dinesh Mehta, in connection with Simri Police Station Case No. 188 of 2014 under Section 420/406/409/120(B) read with Section 34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 10.12.2014, passed, in A.B.P. No. 1003 of 2014, by the learned Sessions Judge, Buxar, dismissing the said application for pre-arrest bail and, order, dated 07.01.2015, passed in Cr. Misc. No. 349 of 2015 and order, dated 06.02.2015, passed in Cr. Misc. No. 5103 of 2015, granting benefit of pre-arrest bail to the similarly situated accused, as the present one, by a Bench of this Court.

Heard Mr. Binod Kumar Singh, learned Counsel for the petitioners, and Mr. M. K. Khare, 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 the fact that similarly situated accused have been granted benefit of pre-arrest bail by a Bench of this Court by order, dated 07.01.2015, passed in Cr. Misc. No. 349 of 2015 and order, dated 06.02.2015, passed in Cr. Misc. No.5103 of 2015, 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, Simri 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, Simri 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, Simri Police Station, District- Buxar.

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

(I. A. Ansari, J)

Pawan/-

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