

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5590 of 2015

Arising Out of PS.Case No. -337 Year- 2014 Thana -BALIA District- BEGUSARAI

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1. Bisho Yadav S/o Late Ishwari Yadav
2. Ranjeet Yadav S/o Bisho Yadav
3. Subodh Yadav S/o Late jay Narayan Yadav
4. Bulbul Yadav S/o Late Vinodi Yadav
5. Umesh Yadav
6. Aso Yadav 5 & 6 are S/o Late Satrughna Yadav
7. Murari Yadav
8. Pravin yadav Both S/o Surendra Yadav
9. Surendra Yadav S/o Late Ram Sewak Yadav All are R/o Village Sonvarsha, P.S. Ballia, District Begusarai.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Shubhesh Pandey, Advocate

For the Opposite Party : Mr. Harendra Prasad, APP

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

5 16-07-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Bisho Yadav, Ranjeet Yadav, Subodh Yadav, Bulbul Yadav, Umesh Yadav, Aso Yadav, Murari Yadav, Pravin Yadav and Surendra Yadav, in connection with Ballia Police Station Case No. 337 of 2014 under Section 147/341/323/504/379/436 of the Indian Penal Code and Section 27 of the Arms Act.

Perused the above application and materials on record including a copy of the order, dated 15.01.2015, passed, in A.B.P. No. 1795 of 2014, by the learned Sessions Judge, Begusarai, dismissing the said application for pre-arrest bail.

Heard Mr. Shubesh Pandey, learned Counsel for the petitioner, and Mr. Harendra Prasad, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that perusal of record does not reveal any such incriminating materials against the petitioners, which would warrant their custodial detention and interrogation, this Court is of the view that the petitioners have 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 petitioners above-named shall, in the event of their 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, Ballia Police Station, Begusarai. This direction for bail is further subject to the condition that the petitioners above-named shall, within two weeks from today, appear before the Officer-in-Charge, Ballia Police Station, Begusarai, and make themselves 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, Ballia Police Station, Begusarai.

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

(I. A. Ansari, J)

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