

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15529 of 2015

Arising Out of Digha PS.Case No. -126 Year- 2013 Thana -DIGHA
District- PATNA

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1. Baliram Rai S/o Shobh Nath Rai R/o Village Nakta Diyara, P.S. Digha,
District Patna.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

2 10-07-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Baliram Rai, in connection with Digha Police Station Case No. 126 of 2013 under Section 147/148/149/302 of the Indian Penal Code.

Perused the above application, and materials on record including a copy of the order, dated 23.04.2014, passed, in A.B.P. No.18504/19270 of 2014, by the learned Sessions Judge, Patna, dismissing the said application for pre-arrest bail.

Heard Mr. Shyameshwar Kumar Singh, learned counsel for the petitioner, and Mr. Yogendra Kumar Singh, 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 petitioner, which would warrant their 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 their 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, Digha Police Station, Patna. 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, Digha Police Station, 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, Digha Police Station, District Patna.

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

(I. A. Ansari, J)

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