

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50932 of 2014

Arising Out of PS.Case No. -880 Year- 2010 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Mohnish Kumar Son of Shayam Nandan Lal, Resident of Village -
Chowalal Lane, N.B. Road, Paschim Darwaja (Patna City) P.S.-
Khajekala, District -Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate.

For the Opposite Party/s : Mr. P.K.Choursiya(App)

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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

petitioner, namely, Mohnish Kumar, in connection with

Complaint Case No. 880(C) of 2010, under Section 420 of the

Indian Penal Code and Section 138 of the Negotiable

Instruments Act.

Perused the above application and materials on

record including a copy of the order, dated 14.05.2013, passed,

in A.B.P. No.3615 of 2012, by the learned Sessions Judge,

Patna, dismissing the said application for pre-arrest bail.

Heard Mr. Sunil Kumar, learned counsel for the

petitioner, and Mr. P.K. Choursiya, learned Additional Public

Prosecutor, appearing on behalf of the State.

In view of the fact that perusal of the 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-Patna.

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

(I. A. Ansari, J.)

Mkr./-

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