

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50898 of 2014

Arising Out of PS.Case No. -4 Year- 2014 Thana -MAHILA PS District- JEHANABAD

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Shyam Nandan Sharma Son of Late Kamla Prasad Singh Resident of
Village - Akari, P.S- Ghoshi, District- Jehanabad

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Chandra, Advocate

For the Opposite Party : Mrs. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

3 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, Shyam Nandan Sharma, in connection with Jehanabad (Mahila) Police Station Case No. 04 of 2014 under Sections 376(2)(g)/323/506 read with Section 34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 26.11.2014, passed, in A.B.P. No. 813 of 2014, by the learned Sessions Judge, Jehanabad, dismissing the said application for pre-arrest bail.

Heard Mr. Krishna Chandra, learned Counsel for the petitioner, and Mrs. Indu Kumari Shrivastava, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that charge-sheet has already been

filed and 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, each of the like amount, subject to the satisfaction of the Officer-in-Charge, Jehanabad (Mahila) Police Station, District-Jehanabad. 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, Jehanabad (Mahila) Police Station, District-Jehanabad, 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 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, Jehanabad (Mahila) Police Station, District-
Jehanabad.

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

(I. A. Ansari, J)

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