

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12161 of 2015

Arising Out of PS.Case No. -292 Year- 2014 Thana -CIVIL LINE District- GAYA

- =====
1. Kaushalendra Kumar Son of Sidheshwar Prasad, Resident of Mohalla - Udantpuri, Garh Par, P.S. - Biharsharif, District - Nalanda.
 2. Nikesh Kumar Son of Balmiki Prasad, Resident of Bandhu Bazar, Sohsarai, P.S. - Sohsarai, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Ram Chandra Singh(APP)

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

2 02-07-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Kaushalendra Kumar and Nikesh Kumar, in connection with Gaya Civil Line P.S. Case No. 292 of 2014 under Section 420 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 29.01.2015, passed, in A.B.P. No. 973 of 2014, by the learned Sessions Judge, Gaya, dismissing the said application for pre-arrest bail.

Heard Mr. Amarendra Kumar Singh, learned Counsel for the petitioners, and Mr. Ram Chandra Singh, learned Additional Public Prosecutor, appearing on behalf of the State.



In view of the fact that there is no material to show that the petitioners were instrumental in getting the money, in question, deposited in their account and the possibility cannot be totally excluded that the petitioners innocently withdrew the amounts so deposited, 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, Civil Line Police Station, Gaya. 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, Civil Line Police Station, Gaya, 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, Civil Line Police Station, Gaya.

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

(I. A. Ansari, J.)

Mkr./-

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