

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8383 of 2015

Arising Out of PS.Case No. -130 Year- 2014 Thana -SIKANDARA District- JAMUI

1. Sabir Ahmad Son of Late Abdul Rahman, resident of village - Piprahi,
P.O. Brindawan, via - Thawe, District - Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

WITH

Criminal Miscellaneous No.21178 of 2015

Arising Out of PS.Case No. -130 Year- 2014 Thana -SIKANDARA District- JAMUI

1. Rajesh Kumar @ Rajesh Kumar Yadav Son of Sri Devendra Yadav,
resident of Village- Gauhar, P.S.- Sikandra, District- Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.8383 of 2015)

For the Petitioner/s : Mr. Sanjay Kumar Giri, Advocate.

For the Opposite Party/s : Mr. M.Rab(APP)

(In Cr.Misc. No.21178 of 2015)

For the Petitioner/s : Mr. Prakash Mahto, Advocate.

For the Opposite Party/s : Mr. Ram Anurag Singh(App)

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

4 19-05-2015 Both these applications, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Sabir Ahmad and Rajesh Kumar @ Rajesh Kumar Yadav, in connection with Sikandra Police Station Case No. 130 of 2014 under Sections 420/409/467/468/504/420B of the Indian Penal Code.

Perused the above application and materials on record including a copy of the orders, dated 04.02.2015 and 10.04.2015, passed, in A.B.P. Nos. 1285 of 2014 and 350 of 2015 respectively, by the learned Sessions Judge, Jamui, dismissing the said applications for pre-arrest bail.

Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

In view of the fact that perusal of the 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, Sikandra Police Station, Jamui. 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, Sikandra Police Station,

Jamui, 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 him/her from disclosing such facts to the Court or to any police officer.

Both these applications 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, Sikandra Police Station, Jamui.

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

(I. A. Ansari, J.)

Mkr./-

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