

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15296 of 2015

Arising Out of PS.Case No. -465 Year- 2013 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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Lucky Kumar Son of Hari Shankar Rai, Resident of village- Benuchhapar,
Puribhag, P.S.- Muffasil, District- West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Smt.Pushpa Sinha - 2 (APP)

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

2 25-06-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Lucky Kumar, in connection with Bettiah (Muffasil) Police Station Case No. 465 of 2013 under Section 509/34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 04.12.2014, passed, in A.B.P. No. 1043 of 2013, by the learned 1st Additional Sessions Judge-cum-Special Judge, West Champaran, Bettiah, dismissing the said application for pre-arrest bail.

Heard Mr. Bimlesh Kumar Pandey, learned Counsel for the petitioner, and Mrs. Pushpa Sinha-2, learned Additional Public Prosecutor, appearing on behalf of the State.



In view of the fact that 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, Bettiah (Muffasil) Police Station, West Champaran, Bettiah. 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, Bettiah (Muffasil) Police Station, West Champaran, Bettiah, 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, Bettiah (Muffasil) Police Station, West Champaran, Bettiah.

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

(I. A. Ansari, J.)

Mkr./-

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