

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50783 of 2014

Arising Out of PS.Case No. -48 Year- 2013 Thana -UPHARA District- AURANGABAD

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1. Kishore Sao son of Sita Ram Sao, Resident of Village- Bishwanathpur, P.S. Aarti, District- Gaya
 2. Ranjeet Sao son of Dinesh Sao, Resident of Village- Nimra, P.S.- Uphara, District- Aurangabad
 3. Nitish Kumar @ Nitish Sao son of Chandrika Sao, Resident of Village- Nirma, P.S.- Uphara, District- Aurangabad

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Mritunjay Prasad Singh, Advocate

For the Opposite Party : Mr. A.Dayal, 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 petitioners, namely, Kishore Sao, Ranjeet Sao and Nitish Kumar, in connection with Uphara Police Station Case No. 48 of 2013 under Section 395 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 21.02.2014, passed, in A.B.P. No. 1503 of 2013, by the learned Sessions Judge, Aurangabad, dismissing the said application for pre-arrest bail.

Heard Mr. Mritunjay Prasad Singh, learned Counsel for the petitioners, and Mr. A. Dayal, 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 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, Uphara Police Station, Aurangabad. 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, Uphara Police Station, Aurangabad, 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, Uphara Police Station, Aurangabad.

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

(I. A. Ansari, J)

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