

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40115 of 2014

Arising Out of Mahila PS.Case No. -48 of 2013 Thana -MAHILA PS
District- JEHANABAD

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1. Niraj Gupta Son of Late Mahendra Sao Resident of Village -
Makhdumpur, P.S. - Makhdumpur, District - Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

2 10-04-2015 This is an application, made under Section 438 of the

Code of Criminal Procedure, seeking pre-arrest bail by the

petitioner, namely, Niraj Gupta, in connection with Mahila Police

Station Case No. 48 of 2013 under Sections 489(A)/504/34 of the

Indian Penal Code.

Perused the above application and materials on record
including a copy of the order, dated 24.10.2013, passed in A.B.P.
No.834 of 2013, by the learned Sessions Judge, Jehanabad,
dismissing the said application for pre-arrest bail.

Heard Mr. Binay Kumar Singh, learned counsel for
the petitioner, and Mr. Ram Chandra Singh, 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/surrender in connection with the case aforementioned, be released on bail of Rs. 10,000/-, with two sureties of the like amount, subject to the satisfaction of the Officer-in-Charge, Mahila Police Station, 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, Mahila Police Station, 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 him 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, 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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