

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46880 of 2014

Arising Out of Amdabad PS.Case No. 82 of 2013 Thana AMDABAD
District- KATIHAR

- =====
1. Abdul Barik son of Noor Islam
 2. Nurul Islam @ Noor Islam son of Late Haji Suleman, both residents of village - Chhota Lakhanpur, P.S. Amdabad, Distt. - Katihar

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Najmul Hoda
For the Opposite Party/s : Mr. Ajay Kumar 1 (APP)

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

2 23-04-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Abdul Barik and Nurul Islam alias Noor Islam, in connection with Amdabad Police Station Case No. 82 of 2013 under Sections 323/324/341/307/504/506/34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 07.06.2014, passed, in A.B.P. No.460 of 2014, by the learned Sessions Judge, Katihar, dismissing the said application for pre-arrest bail.

Heard Mr. Najmul Hoda, learned counsel for the petitioners, and Mr. Ajay Kumar 1, 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 of the like amount, subject to the satisfaction of the Officer-in-Charge, Amdabad Police Station, Katihar. 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, Amdabad Police Station, 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 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, Amdabad Police Station, District Katihar.

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

(I. A. Ansari, J)

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