

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8177 of 2015

Arising Out of PS.Case No. -78 Year- 2014 Thana -TARAPUR District- MUNGER

1. Kamleshwari Devi W/o Sri Arjun Singh
2. Sudha Devi, W/o Subodh Singh, Both resident of Village- Launa, P.S.-
Tarapur, District- Munger

.... .. Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioners : Mr. Ajay Mukherjee, Advocate
For the Opposite Party : Mrs. Asha Kumari, APP
For the informant : Mr. Bharat Lal, Advocate
Mr. Rabindra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

5 02-07-2015 This is an application, made under Section 438 of the

Code of Criminal Procedure, seeking pre-arrest bail by the
petitioners, namely, Kamleshwari Devi and Sudha Devi, in
connection with Tarapur Police Station Case No. 78 of 2014
under Sections 341/323/504/385/307/379 read with Section 34 of
the Indian Penal Code.

Perused the above application and materials on
record including a copy of the order, dated 16.12.2014, passed,
in A.B.P. No. 825 of 2014, by the learned Sessions Judge,
Munger, rejecting the said application for pre-arrest bail.

Heard Mr. Ajay Mukherjee, learned Counsel for the
petitioners, and Mrs. Asha Kumari, learned Additional Public
Prosecutor, appearing for the State. Also heard Mr. Bharat Lal,

learned counsel, appearing for the informant.

The High Court, while exercising its powers under Section 438 Code of Criminal Procedure, stands on the same footing as does a Sessions Judge inasmuch as a High Court and Sessions Judge have coordinate jurisdiction, while exercising power under Section 438 Code of Criminal Procedure.

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, Tarapur Police Station, Munger. 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, Tarapur Police Station, Munger, 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, Tarapur Police Station, Munger.

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

(I. A. Ansari, J)

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