

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8298 of 2015

Arising Out of PS.Case No. -211 Year- 2014 Thana -MAHILA P.S. District- BHOJPUR

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1. Guddu Tiwary S/o Yogendra Tiwary, Resident of Village - Kesopur Bakari, P.S. - Udwantnagar, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kanchan Devi W/o Guddu Tiwary, D/o Dinesh Chandra Upadhyay, At present Address R/o Village - Babhnauli, P.S. - Ara Muffasil, District - Bhojpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Pathak,
For the Opposite Party/s : Mr. Anant Kumar(App)

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

3 19-05-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Guddu Tiwary, in connection with Bhojpur (Ara) Mahila Police Station Case No. 211 of 2014 under Sections 498A/323/504/34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 06.02.2015, passed, in A.B.P. No. 1930 of 2014, by the learned Sessions Judge, Bhojpur, at Arah, dismissing the said application for pre-arrest bail.

Heard Mr. Radha Mohan Pathak, learned Counsel for the petitioner, and Mr. Anant Kumar, 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, Mahila Police Station, Bhojpur, at Ara. 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, Bhojpur, at Ara, 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 his/her 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, Bhojpur, at Ara.

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

(I. A. Ansari, J.)

Mkr./-

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