

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25119 of 2015

Arising Out of PS.Case No. -253 Year- 2014 Thana -BHAWANIPUR District- PURNIA

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Nunia Devi D/o Sudhir Prasad Singh @ Dukhhan Singh Resident of Village
Karmanchak, P.S. Bhawanipur Balia, District Purnea. At present Village
Janta Chowk Gumti No. 3, P.S. K. Hat, District Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manish Kumar, Advocate

For the Opposite Party : Mr. Arbind Kr.Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

3 16-07-2015

This is an application, made under Section 438 of the
Code of Criminal Procedure, seeking pre-arrest bail by the
petitioners, namely, Nunia Devi, in connection with Bhawanipur
Police Station Case No. 253 of 2014 under Sections 328/304-
B/120(B) read with Section 34 of the Indian Penal Code.

Perused the above application and materials on record
including a copy of the order, dated 27.04.2015, passed, in A.B.P.
No. 451 of 2015, by the learned Sessions Judge, Purnia,
dismissing the said application for pre-arrest bail and, order, dated
10.07.2015, passed by this Court in Cr. Misc. No. 15180 of 2015.

Heard Mr. Manish Kumar, learned Counsel for the
petitioners, and Mr. Arbind Kumar Pandey, learned Additional
Public Prosecutor, appearing on behalf of the State.

In view of the fact that perusal of 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 the fact that similarly situated co-accused have been granted the benefit of pre-arrest bail by this Court by order, dated 10.07.2015, passed in Cr. Misc. No. 15180 of 2015, 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 of the like amount, subject to the satisfaction of the Officer-in-Charge, Bhawanipur Police Station, District-Purnia. 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, Bhawanipur Police Station, District-Purnia, 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, Bhawanipur Police Station, District-Purnia.

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

(I. A. Ansari, J)

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