

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5521 of 2015

Arising Out of Pauthu PS.Case No. -47 Year- 2014 Thana -PAUTHU
District- AURANGABAD

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1. Sweta Kumari @ Dharmshila Kumari D/O Late Dinesh Yadav, Resident
of vill-Kharauna Bujurg,P.S-Pauthu,Distt-Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamlendra Pd. Singh

For the Opposite Party/s : Mr. Tapeswar Sharma(APP)

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

3 21-05-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Sweta Kumar @ Dharmshila Kumari in connection with Pauthu Police Station Case No. 47 of 2014 under Sections 302/201/34 of the Indian Penal Code.

Perused the above application, materials available in the case diary and materials on record including a copy of the order, dated 22.01.2015, passed, in A.B.P. No.67 of 2015, by the learned Sessions Judge, Aurangabad, dismissing the said application for pre-arrest bail.

Heard Mr. Kamlendra Pd. Singh, learned counsel for the petitioner, and Mr. Tapeswar Sharma, 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 her 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 her 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, Pauthu Police Station, Aurangabad. 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, Pauthu Police Station, and make herself 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 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, Pauthu Police Station, District Aurangabad.

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

(I. A. Ansari, J)

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