

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38590 of 2014

Arising Out of PS.Case No. -119 Year- 2014 Thana -MARHAURA District- SARAN

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Baban Devi, W/o. Suresh Prasad, R/o. Village- Tejpurva Dhah, P.S. Marhourah, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Ramshankar Das(SPL.PP)

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

2 16-04-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Baban Devi, in connection with Marhowrah Police Station Case No. 119 of 2014 under Sections 341/323/325/307/504/34 of the Indian Penal Code and Section 3(x),3(xi) SC/ST Act.

Perused the above application and materials on record including a copy of the order, dated 20.08.2014, passed in A.B.P. No.1422 of 2014, by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Chapra, dismissing the said application for pre-arrest bail.

Heard Mr. Sunil Kumar Singh, learned Counsel for the petitioner, and Mr. Ramshankar Das, learned Special 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, Marhowrah Police Station, Saran. 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, Marhowrah 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, Marhowrah Police Station, District Saran.

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

(I. A. Ansari, J.)

Mkr./-

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