

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50793 of 2014

Arising Out of PS.Case No. -165 Year- 2014 Thana -AMARPUR District- BANKA

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1. Rina Devi Wife of Ohm Prakash Jha
2. Ohm Prakash Jha son of Late hajari Jha Resident of village- Baja P.S
Amarpur Distt. Banka

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Brij Mohan Kumar, Advocate

For the Opposite Party : Mr. R.P.S.Singh, APP

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

3 30-04-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Rina Devi and Ohm Prakash Jha, in connection with Amarpur Police Station Case No. 165 of 2014 under Section 304(B)/201 and Section 34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 17.09.2014, passed, in A.B.P. No. 2053 of 2014, by the learned Sessions Judge, Banka, dismissing the said application for pre-arrest bail.

Heard Mr. Brij Mohan Kumar, learned Counsel for the petitioner, and Mr. R.P.S. Singh, 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 petitioners, which would warrant their custodial detention and interrogation, this Court is of the view that the petitioners have 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 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, Amarpur Police Station, Banka. 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, Amarpur Police Station, Banka, 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, Amarpur Police Station, Banka.

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

(I. A. Ansari, J)

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