

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46894 of 2014

Arising Out of Mujahidpur (Babarganj) PS.Case No. -124 Year- 2014
Thana -MAUZAHDIPUR District- BHAGALPUR

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1. Punam Devi W/o Bijay Kumar Sah
2. Bijay Kumar Sah S/o Late Basant Sah
3. Bonty @ Shivani Kumari D/o Bijay Kumar Sah
4. Rakhi Kumari @ Shweta Kumari @ Rakhi D/o Bijay Kumar Sah
5. Golu @ Aryan Arya S/o Bijay Kumar Sah
All Residents of Mohalla Hassanganj, P.S. Majahidpur (Babarganj),
District Bhagalpur.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Anil Prasad. Singh (APP)

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

2 23-04-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Punam Devi, Bijay Kumar Sah, Bonty @ Shivani Kumari, Rakhi Kumari @ Shweta Kumari @ Rakhi and Golu @ Aryan Arya, in connection with Mojahidpur (Babarganj) Police Station Case No. 124 of 2014 under Section 341, 323, 354(B), 504 and 506 read with 34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 27.10.2014, passed, in A.B.P. No.2299 of 2014, by the learned Sessions Judge, Bhagalpur,

dismissing the said application for pre-arrest bail.

Heard Mr. Praveen Kumar, learned counsel for the petitioners, and Mr. Anil Pd. 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/- each, with two sureties of the like amount, subject to the satisfaction of the Officer-in-Charge, Mojahidpur (Babarganj) Police Station, Bhagalpur. 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, Mojahidpur (Babarganj) Police Station, 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 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, Mojahidpur (Babarganj) Police Station, District Bhagalpur.

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

(I. A. Ansari, J)

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