

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15180 of 2015

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

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1. Sudhir Prasad Singh @ Dukhan Singh S/o Late Sukhdeo Singh
2. Bharati Devi W/o Sudhir Pd. Singh @ Dukha Singh
3. Shankar Singh @ Shankar Kumar Singh S/o Sudhir Pd. Singh @ Dukhan Singh, All Residents of Village Karmanchak, P.S. Bhawanipur (Balua), District Purnea.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Shobha Nath Jha

For the Opposite Party/s : Mr. Akbar Ali(App)

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

4 10-07-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Sudhir Prasad Singh @ Dukhan Singh, Bharati Devi and Shankar Singh @ Shankar Kumar Singh, in connection with Bhawanipur Police Station Case No. 253 of 2014 under Section 328/304B/120B/34 of the Indian Penal Code.

Perused the above application, and materials on record including a copy of the order, dated 11.03.2015, passed, in A.B.P. No.1519 of 2014, by the learned Sessions Judge, Purnea, dismissing the said application for pre-arrest bail.

Heard Ms. Shobha Nath Jha, learned counsel for the petitioners, and Mr. Akbar Ali, 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 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 of the like amount, subject to the satisfaction of the Officer-in-Charge, Bhawanipur Police Station, Purnea. 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, Bhawanipur 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 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, Bhawanipur Police Station, District Purnea.

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

(I. A. Ansari, J)

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