

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1362 of 2015

Arising Out of Sakara PS.Case No. -393 Year- 2013 Thana -SAKRA
District- MUZAFFARPUR

- =====
1. Begu Sahani @ Bigu Sahani S/o Jhagru Sahani
 2. Sumitra Devi W/o Bigu Sahani
Both residents of village Mahamadpur,
P.S. Sakara, District Muzaffarpur
 3. Mintu Devi W/o Ashok Sahani
 4. Ashok Sahani S/o Harihar Sahani
Both residents of village Meghnapur,
P.S. Minapur, District Muzaffarpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II
For the Opposite Party/s : Mr. Sanjay Kr. Tiwary(APP)

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

3 14-05-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Begu Sahani alias Bigu Sahani, Sumitra Devi, Mintu Devi and Ashok Sahani in connection with Sakara Police Station Case No. 393 of 2013 under Sections 306/34 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 05.12.2014 passed, in A.B.P. No.2138 of 2014 by the learned Sessions Judge, Muzaffarpur dismissing the said application for pre-arrest bail.

Heard Mr. Rajeev Ranjan No.II, learned counsel for the petitioners, and Mr. Sanjay Kumar Tiwari, 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 of the like amount, subject to the satisfaction of the Officer-in-Charge, Sakra Police Station, Muzaffarpur. 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, Sakra 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, Sakra Police Station, District Muzaffarpur.

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

(I. A. Ansari, J)

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