

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50861 of 2014**

Arising Out of PS.Case No. -182 Year- 2011 Thana -MARHAURA District- SARAN

=====

Sita Devi Wife of Raj Banshi Rai Resident of Village - Shilhauri Purab Tola  
P.S - Marhowrah, District - Saran

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Nalin Kumar, Advocate

For the Opposite Party : Mr. Mustaq Alam, 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, Sita Devi, in connection with Marhowrah Police Station Case No. 182 of 2011 under Section 341/323/326/307 read with Section 34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 17.10.2014, passed, in A.B.P. No. 2316 of 2014, by the learned Sessions Judge, Saran at Chapra, dismissing the said application for pre-arrest bail and, order, dated 04.09.2012, passed by a Bench of this Court in Cr. Misc. No. 32060 of 2012 granting benefit of pre-arrest bail to the similarly situated co-accused.

Heard Mr. Nalin Kumar, learned Counsel for the petitioner, and Mr. Mustaq Alam, 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 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 the fact that similarly situated co-accused have been granted the benefit of pre-arrest bail by a Bench of this Court by order, dated 04.09.2012, passed by a Bench of this Court in Cr. Misc. No. 32060 of 2012, 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, District-Saran at Chapra. 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, District-Saran at Chapra, 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 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, Marhowrah Police Station, District-Saran at Chapra.

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

**(I. A. Ansari, J)**

Pawan/-

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