

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45954 of 2014

Arising Out of PS.Case No. -192 Year- 2014 Thana -MUFFASIL District- AURANGABAD

- =====
1. Gulabi Devi W/o Satendra Yadav
 2. Kalawati Devi W/o Laldeo Yadav
 3. Lakhpati Devi W/o Krishna Yadav
 4. Inda Devi
 5. Bindu Devi
 - Both D/o Krishna Yadav
 6. Prince Kumar son of Satendra Yadav
- All resident of Village - Chhotaki Bela, P.S. Aurangabad (M),
District - Aurangabad.

.... Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioners : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party : Mr. Sanjay Kumar Tiwary, 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, Gulabi Devi, Kalawati Devi, Lakhpati Devi, Inda Devi, Bindu Devi and Prince Kumar, in connection with Aurangabad (M) Police Station Case No. 192 of 2014 under Section 341/323/354/379/504 read with Section 34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 10.10.2014, passed, in A.B.P. No. 863 of 2014, by the learned Sessions Judge, Aurangabad, dismissing the said application for pre-arrest bail.

Heard Mr. Bachan Jee Ojha, learned Counsel for the petitioners, and Mr. S. K. Tiwary, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that no such incriminating material is found 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, namely, Gulabi Devi, Kalawati Devi, Lakhpatiya Devi, Inda Devi and Bindu Devi 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, Aurangabad (M) Town Police Station, Aurangabad. 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, Aurangabad (M) Town Police Station, Aurangabad, 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.

However, so far as petitioner, namely, Prince Kumar is concerned, it is submitted by learned counsel for the petitioners that he is ten years old and this application is not pressed on his behalf.

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, Aurangabad (M) Town Police Station, Aurangabad.

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

(I. A. Ansari, J)

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