

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43009 of 2014

Arising Out of PS.Case No. -12 Year- 2014 Thana -MAHILA P.S District- SUPAUL

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1. Md. Illiyas @ Badri @ Badi @ Illiyas Khan, son of late Kabir Khan,
 2. Bibi Sahida Khatoon, wife of Md. Iliyas @ Badri @ Badi @ Illiyas Khan,
 3. Md. Sarbar Khan, S/o. late Md. Farmud,
 4. Md. Shaukat @ Shaukat, S/o. Md. Illiyas @ Badri @ Badi @ Illiyas Khan,
 5. Md. Ayub, S/o. late Md. Farmud,
 6. Md. Nathun, S/o. late Md. Farmud,
- All residents of village-Bela Sakhua, Police Station Triveniganj, District Supaul.
7. Md. Gyasuddin, S/o. late Mohmud Khan,
Resident of village- Pathra Garghua, Police Station- Triveniganj,
District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar,
2. Nasreen Khatoon, W/o. Wasi Ahmad @ Guddu,
Resident of village-Bela Sakhua, Police Station- Triveniganj, District-
Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate.
For the Opposite Party/s : Mr. Upendra Kumar(APP)

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

5 21-05-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Md. Illiyas @ Badri @ Badi @ Illiyas Khan, Bibi Sahida Khatoon, Md. Sarbar Khan, Md. Shaukat @ Shaukat, Md. Ayub, Md. Nathun and Md. Gyasuddin, in connection with Supaul Mahila Police Station Case No. 12 of 2014 under Section 147/341/323/498A/504/506/354B/379/314 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Perused the above application and materials on record including a copy of the order, dated 12.08.2014, passed, in A.B.A. No. 250 of 2014(S), by the learned Sessions Judge, Saharsa, at Camp Supaul, dismissing the said application for pre-arrest bail.

Heard Mr. Manoj Kumar, learned Counsel for the petitioners, and Mr. Upendra Kumar, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that perusal of the 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, each of the like amount, subject to the satisfaction of the Officer-in-Charge, Supaul Mahila Police Station, Supaul. 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, Mahila Police Station,

Supaul, 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, Mahila Police Station, Supaul.

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

(I. A. Ansari, J.)

Mkr./-

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