

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14813 of 2015

Arising Out of PS.Case No. -248 Year- 2014 Thana -KHIJARSARAI District- GAYA

Kiran Devi @ Kiran Kumari wife of Ashutosh Kumar, resident of village-
Bahbalpur, Police Station- Khizar Sarai and District- Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Manish Kumar No-2, Advocate

For the Opposite Party : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

6 16-07-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Kiran Devi @ Kiran Kumari, in connection with Khizar Sarai Police Station Case No. 248 of 2014 under Section 302 read with Section 34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 04.03.2015, passed, in A.B.P. No. 225 of 2015, by the learned Sessions Judge, Gaya, dismissing the said application for pre-arrest bail.

Heard Mr. Manish Kumar No.2, learned Counsel for the petitioner, and Mrs. Pushpa Sinha, 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 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.

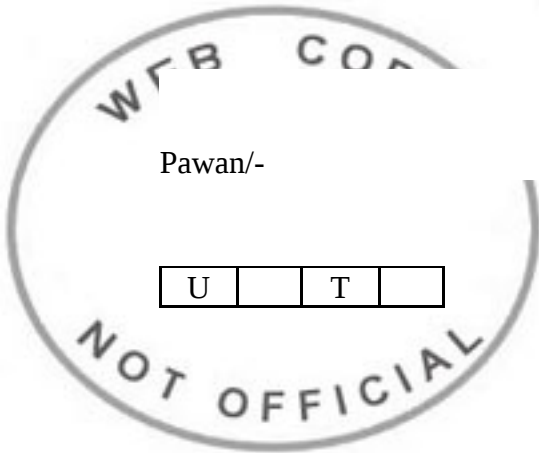
Considering, therefore, the matter in its entirety and in the interest of justice, it is hereby directed that the petitioner above-named shall, in the event of her arrest in connection with the case aforementioned, be released on bail of Rs. 10,000/-, with two sureties, each of the like amount, subject to the satisfaction of the Officer-in-Charge, Khizar Sarai Police Station, Gaya. 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, Khizar Sarai Police Station, Gaya, 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 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, Khizar Sarai Police Station, Gaya.

Send also a copy of this order, forthwith, to the

Superintendent of Police, Gaya, by fax.



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(I. A. Ansari, J)