

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53324 of 2015

Arising Out of PS.Case No. -625 Year- 2014 Thana -SHASTRINAGAR District- PATNA

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1. Smt. Pramila Singh wife of Sri Anil Kumar Singh
2. Anil Kumar Singh S/o Sri Devanand Singh @ Devanand Sharma Both residents of Mohalla- Shiv Puri, South of Nala, P.S.- Shastri Nagar, District- Patna

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Ms. Anjum Praveen, Advocate

For the Opposite Party : Mr. Ambika Bhagat, Spl.APP

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

ORAL ORDER

2 17-12-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Smt. Pramila Singh and Anil Kumar Singh, in connection with Shastri Nagar Police Station Case No. 625 of 2014 under Sections 341/504/353/34 of the Indian Penal Code and Section 3(ix)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Perused the above application and materials on record including a copy of the order, dated 19.09.2015, passed, in A.B.P. No. 5609 of 2015, by the learned Additional Sessions Judge 1st, Patna, dismissing the said application for pre-arrest bail.

Heard Ms. Anjum Praveen, learned Counsel for the petitioner, and Mr. Ambika Bhagat, learned Special Additional

Public Prosecutor, appearing on behalf of the State.

Though the application for pre-arrest bail of these petitioners was rejected by order, dated 02.07.2015, passed in Cr. Misc. No. 8666 of 2015, it, now, transpires that in his statement, recorded under Section 164 of the Code of Criminal Procedure, the informant has stated that the accused petitioners did not make any comment regarding the caste of the informant.

In the changed circumstances, as indicated above, 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, Shastri Nagar Police Station, Patna. 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, Shastri Nagar Police Station, Patna, 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, Shastri Nagar Police Station, Patna.

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

(I.A. Ansari, ACJ)

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