

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5131 of 2015

Arising Out of PS.Case No. -56 Year- 2014 Thana -JAYNAGAR District- MADHUBANI

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Shanti Devi @ Santi Devi Wife of Late Ganesh Prasad Gupta Resident of
Jai Nagar, Shahid Chowk, P.S- Jai Nagar, District - Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satyapal Singh, Advocate

For the Opposite Party : Mrs. Pushpa Sinha 2, APP

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

4 02-07-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Shanti Devi @ Santi Devi, in connection with Jai Nagar Police Station Case No. 56 of 2014 under Section 498A/304 read with Section 34 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 17.12.2014, passed, in A.B.P. No. 100 of 2014, by the learned Sessions Judge, Madhubani, dismissing the said application for pre-arrest bail and, order, dated 19.01.2015, passed by a Bench of this Court in Cr. Misc. No. 2168 of 2015.

Heard Mr. Satyapal Singh, learned Counsel for the petitioners, and Mrs. Pushpa Sinha 2, 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 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 19.01.2015, passed in Cr. Misc. No. 2168 of 2015, 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, Jai Nagar Police Station, District-Madhubani. 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, Jai Nagar Police Station, District-Madhubani, 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, Jai Nagar Police Station, District-Madhubani.

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

(I. A. Ansari, J)

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