

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14821 of 2015

Arising Out of PS.Case No. -378 Year- 2013 Thana -BIHPUR District- BHAGALPUR

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Manju Devi Wife of Prakash Mandal, Resident of village- Bhagwatipur,
P.S.- Bihpur, District- Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate
Mr. Ranjan Kumar Singh, Advocate
For the Opposite Party : Mr. Ashok Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

4 25-06-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Manju Devi, in connection with Bihpur Police Station Case No. 378 of 2013 under Sections 304B/328 read with Section 34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 04.03.2014, passed, in A.B.P. No. 295 of 2014, by the learned Sessions Judge, Bhagalpur, dismissing the said application for pre-arrest bail.

Heard Mr. Rajesh Kumar, learned Counsel for the petitioner, and Mr. Ashok Kumar, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that according to the informant, who is mother of the deceased, Anjan Devi, her daughter has been



poisoned to death by her husband, Pintu Mandal, and, as regards the petitioner, it is merely alleged in the First Information Report that accused Pintu Mandal has illicit relation with the petitioner, Manju Devi, who is their neighbour, coupled with the fact that the perusal of the 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, Bihpur Police Station, Bhagalpur. 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, Bihpur Police Station, Bhagalpur, 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, Bihpur Police Station, Bhagalpur.

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

(I. A. Ansari, J)

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