

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50505 of 2015

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1. Veena Jha Wife of Pitambar Jha
2. Pitambar Jha Son of Late Basuki Jha
3. Sandeep Jha @ Pinku @ Sandeep Kumar Jha @ Sandeep Kumar Son of Pitambar Jha
All are resident of village - Manikpur, P.S. Tarapur, District - Munger,
Presently residing at Tirupati Enclave, Flat No. 304, Punaichak, Patna

.... Petitioners

Versus

1. The State of Bihar
2. Gauri Shankar Son of Late Jangal Prasad Resident of Mira Cinema Road,
P.S. + District - Saharsa

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. B.K.Sinha, Senior Advocate
For the Opposite Party State: Mr. Sanjay Kumar Sharma (APP)
For the Complainant : Mr. Chandra Mohan Jha

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

5 18-03-2016 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Veena Jha, Pitambar Jha and Sandeep Jha @ Pinku @ Sandeep Kumar Jha @ Sandeep Kumar, in connection with *Complaint Case* No. 1549C of 2007 under Sections 420/34 of the Indian Penal Code.

Perused the above application, materials available in the case diary and materials on record including a copy of the order, dated 30.01.2015, passed, in A.B.P. No.6854 of 2014, by the learned Sessions Judge, Saharsa, dismissing the said application for pre-arrest bail.

Heard Mr. B.K.Sinha, learned Senior Counsel for the petitioners, and Mr. Sanjay Kumar Sharma, 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 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 of the like amount, subject to the satisfaction of the Officer-in-Charge, Saharsa Police Station, Saharsa. This direction for bail is further subject to the condition that the petitioners above-named shall, within ten days from today, appear before the Officer-in-Charge, Saharsa Police Station, 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 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, Saharsa Police Station, District Saharsa.

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

(I.A. Ansari, ACJ)

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