

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1421 of 2018

Arising Out of PS.Case No. -127 Year- 2017 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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Jumaira Praween wife of Samsul Ansari, Residence of Village - Buchcha,
P.S. - Sugauli, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Govind Mishra, Advocate

For the State : Mr. Tapeswar Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 19-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Sugauli P.S. Case No.127 of 2017 registered under Sections 120B,
341, 352, 323, 504, 420, 406 and 409/34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner
that similarly circumstanced co-accused Pankaj Kumar Jha has
already been granted pre-arrest bail by a Bench of this Court vide
order dated 17.11.2017 passed in Cr. Misc. No.48905 of 2017. He
submitted that institution of the FIR on the basis of a complaint
which was referred to the police for investigation under Section
156(3) of the Code of Criminal Procedure was in complete breach



of the law laid down by the Supreme Court in **Priyanka Srivastava and Anr. vs. State of Uttar Pradesh & Ors. [(2015)6 SCC 287)]**.

Having regard to the nature of allegation against the petitioner in the complaint petition and the submissions made above, in the event of arrest or surrender before the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Sugauli P.S. Case No.127 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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