

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.37737 of 2014**

Arising Out of PS.Case No. -1732 Year- 2009 Thana -VAISALI COMPLAINT CASE District-  
VAISHALI (HAJIPUR)

Ashok Rai son of late Gudari Rai, resident of village Bahadurpur, PS  
Goraul, District Vaishali

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Aadhesh Kumar Singh

For the Opposite Party/s : Mr. Abhay Kumar 1 APP

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**ORAL ORDER**

2 14-01-2015

On a complaint submitted by the wife of the petitioner herein alleging harassment referable under Section 498A, IPC, a case was registered against the petitioner and he was arrested. He moved Bail Petition No. 759 of 2014 before the Sessions Judge, Vaishali at Hajipur. The trial court issued notice to the complainant but she did not turn up. Even after taking note of those facts, the trial court rejected the prayer for bail through its order dated 19.8.2014. Hence this application with a prayer for bail.

Heard Mr. Aadhesh Kumar Singh, learned counsel for the petitioner and Mr. Abhay Kumar, learned APP.

A perusal of the order passed by the trial court indicates lack of seriousness or application of the mind on the part

of the trial court. It is rather surprising that even when there was no opposition whatever either from the Public Prosecutor or from the complainant, the trial court has decided to keep the petitioner behind bars. On account of such indifferent and recalcitrant attitude of the trial court, this Court is of the opinion that innocent people are suffering a lot. This Court takes serious exception of the manner in which the trial court is dealing with such matters.

This application is allowed. Prayer for bail is granted. The petitioner, namely, Ashok Rai shall be released on bail on furnishing bail bond of Rs.5000/- (Rs. Five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Complaint Case No. 1732 of 2009.

**(L. Narasimha Reddy,CJ)**

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