

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40189 of 2014

Arising Out of PS.Case No. -459 Year- 2014 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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Bhagirathi Sah @ Bhagirathi Prasad, sonof Krishna Sah @ Krishna Prasad,
resident of Muradabad, PS Sasaram (Muffasil), District Rohtas

.... Petitioner

Versus

1. The State of Bihar
2. Rina Devi wife of Bhagirathi Sah @ Bhagirathi Prasad, D/o Chotan Prasad, resident of Mohalla Mochitola, PS Sasaram (Town), District Rohtas

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party No.1 : Mr. Awadhesh Kr.Singh, APP

For the Opposite Party No.2 : Mr. Deepak Kumar

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 16-01-2015

The petitioner is being tried for offence punishable under Section 498-A of the Indian Penal Code. The petitioner has been arrested and is in prison since 30.5.2014.

The petitioner filed Bail Petition No.527 of 2014 in the court of Sessions Judge, Rohtas at Sasaram and the same was dismissed on 21.7.2014. Hence, this application.

The allegations against the petitioner are only referable to Section 498-A, IPC. In the recent past Hon'ble Supreme Court held that arrest and continued detention, in cases

registered under Section 498-A, IPC is almost unwarranted. Therefore, further detention of the petitioner is not at all warranted.

Hence, the petition is allowed. The petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram Muffrasil PS Case No. 459 of 2014.

(L. Narasimha Reddy,CJ)

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