

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40108 of 2014

Arising Out of PS.Case No. -453 Year- 2013 Thana -MAHUA District- VAISHALI(HAJIPUR)

Vinay Kumar @ Vinay Kumar Rai, Son of Ram Lalit Rai, Resident of
Village - Mahua Singhrail, P.O. + P.S. - Mahua and District - Vaishali

..... Petitioner

Versus

1. The State of Bihar

2. Madhuri Kumari W/o Vinay Kumar, D/o Rampukar Rai, Resident of
Village - Dirdipul, P.S. - Patori, District - Samastipur

.... Opposite Parties

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan Sinha

For the Opposite Party/s : Mr. Md. A.Haque Sahau, APP

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 2.5.2014.

The petitioner filed Bail Petition No.783 of 2014 in the court of District & Sessions Judge, Vaishali at Hajipur and the same was dismissed on 4.9.2014. 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 Sub Divisional Judicial Magistrate, Vaishali at Hajipur, in connection with Mahua PS Case No. 453/2013.

(L. Narasimha Reddy,CJ)

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