

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40066 of 2014

Arising Out of PS.Case No. -316 Year- 2001 Thana -KHAGARIA COMPALINT CASE District-KHAGARIA

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Md. Sanjir, Son of Md. Usman, Resident of Village - Rahaka Tola
Shirniya, P.S. - Araria, District - Araria

..... Petitioner

Versus

1. The State of Bihar

2. Sahaj Khaton D/o Md. Salim Mohalla - Bajipur, Ward No. 3, P.S. -
Khagaria, District -Khagaria

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar

For the Opposite Party/s : Mr. R.P.S.Singh, APP

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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 9.3.2014.

The petitioner filed Bail Petition No.862 of 2014 in the court of Sessions Judge, Khagaria and the same was dismissed on 2.9.2014. 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, Khagaria in connection with Complaint Case No.316c/2001.

(L. Narasimha Reddy,CJ)

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