

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42020 of 2014

Arising Out of PS.Case No. -11 Year- 2014 Thana -MAHILA P.S. District- SITAMARHI

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Hari Shankar Prasad @ Hari Shankar Kumar, S/o Late Vishwanath Prasad
@ Vishwanath Prasad Gupta, resident of Ringbandh, Ganinath Govind,
Bypass Road, Sitamarhi, Police Station and Distt. - Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar.

2. Bibha Devi, wife of Hari Shankar Prasad @ Hari Shankar Kumar, resident
of Ringbandh, Ganinath Govind, Bypass Road, Sitamarhi, Police Station
and Distt. - Sitamarhi.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ravi Shanker Pankaj, Advocate

For the State : Mr. Nityanand Tiwary, APP

For the informant : Mr. Ashok Kumar Jha, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 27-01-2015 The petitioner is facing trial for the offence punishable
under Section 498A of the Indian Penal Code. He has been
arrested on 17.7.2014. The investigation is said to have been
completed. Bail Petition No.847 of 2014/636 of 2014 filed by him
in the court of 1st Additional Sessions Judge, Sitamarhi was
dismissed on 17.9.2014. Hence this petition.

Heard learned counsel for the petitioner and the learned
Additional Public Prosecutor for the State as well as the informant.

The allegations against the petitioner are only referable
to Section 498A, I.P.C. In view of the recent pronouncement of
the Supreme Court, it is not at all advisable to keep the accused

under arrest for such a long time. 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, Sadar, Sitamarhi, in connection with Sitamarhi (Mahila) P.S. Case No.11 of 2014.

(L. Narasimha Reddy,CJ)

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