

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42506 of 2014**

Arising Out of PS.Case No. -300 Year- 2014 Thana -SAKRA District- MUZAFFARPUR

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Mohammad Mokhtar, Son of Mohammad Nasir, resident of village -  
Mohammadpur Badal, Police Station - Sakra, District- Muzaffarpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner : Mr. Kailash Nath Diwakar, Advocate

For the Opposite Party : Mr. Md. Sufiyan, APP

For the Informant : Mr. Satya Nand Sukla, Advocate

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**ORAL ORDER**

2      27-01-2015                      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 12.7.2014.

The petitioner filed Bail Petition No.843 of 2014 in the  
court of 3<sup>rd</sup> Additional Sessions Judge, Muzaffarpur and the same  
was dismissed on 16.9.2014. Hence, this application.

The allegations against the petitioner are only referable  
to Section 498-A, I.P.C. In the recent past Hon'ble Supreme Court  
held that arrest and continued detention, in cases registered under  
Section 498-A, I.P.C. 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, Muzaffarpur, in connection with Sakra P.S. Case No.300 of 2014.

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

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