

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45599 of 2014**

Arising Out of Case No. -716 Year- 2012 Thana -NALANDA COMPLAINT CASE District-  
NALANDA (BIHARSHARIFF)

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Kaushal Thakur, Son of Parmeshwar Thakur, R/o Village Nurichak, P.S. Sahjhanpur, District Patna

.... .... Petitioner

Versus

1. The State of Bihar  
2. Guria Devi, Wife of Kaushal Thakur, D/o Bindeshwar Thakur, at present residing at Gourabnagar, Islampur, Naharpur, P.S. Islampur, District Nalanda

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Anil Kumar Singh, Adv.

For the Opposite Parties : Mr. Manoj Kumar-I(App)

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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 498A and allied Sections of I.P.C. and Section 4 of the D.P. Act. The petitioner has been arrested and is in prison since 18.6.2014.

The petitioner filed Bail Petition No.398 of 2014 in the court of learned 1<sup>st</sup> Additional Sessions Judge, Hilsa, Nalanda and the same was dismissed on 14.10.2014. Hence, this application.

The prime allegation against the petitioner is 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 bonds of Rs.10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Hilsa, Nalanda, in connection with Complaint Case No.716C/2012.

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

K.C.jha/-

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