

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24130 of 2014

Arising Out of PS.Case No. -247 Year- 2012 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Md. Reza Son of Abdul Sattar
2. Rehana Khatoon w/o Abdul Sattar Both resident of village+ Police
Station- Sursand, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar null null
2. Asmin Khatoon daughter of Md. Juber resident of Village Bhaluyahi,
Police Station Sursand, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. A.M.P.Mehta(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

5 25-06-2015 This application is filed under section 438 of the Code of

Criminal Procedure with a prayer to grant anticipatory bail to the

petitioners in connection with Complaint Case No. C-I/ 247/12 ,

who is being tried for the offence punishable under section 498-A

of the Indian Penal Code.

Apprehending their arrest the petitioners filed A.B.P.

No. 1443 of 2013 in the court of Sessions Judge, Sitamarhi, and

the same was dismissed on 21-5-2014. Hence, this application.

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

The allegations against the petitioners are only

referable to Section 498-A of the Indian Penal Code. In the recent past Hon’ble Supreme Court held that arrest and continued detention in cases registered under section 498-A of the Indian Penal Code is almost unwarranted.

Hence, the petition is allowed. In the event of arrest , the petitioners above named shall be released on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi in connection with Complaint Case No.C-I/247/12, subject to the conditions as laid down under section 438(2) Cr.P.C.

(L. Narasimha Reddy,CJ)

BK.Roy/-

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