

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18923 of 2014

Arising Out of PS.Case No. -2249 Year- 2009 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Ajit Kumar Son of Girija Nandan Prasad Resident of Village - Nerut,
P.S.- Sare, Block Asthama, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. Priti Kumari @ Kumari Priti Sinha Daughter of Balmiki Prasad Resident
of Mohalla - Sri Ram Krishna Nagar, P.S.- Ram Krishna Nagar, District -
Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Kumar Singh

For the Opposite Party/s : Mr. C.Jawahar (App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 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 petitioner in connection with Complaint Case
No.2249(C)/2009, who is being tried for the offence punishable
under section 498-A of the Indian Penal Code.

Apprehending his arrest the petitioner filed A.B.P. No.
4359 of 2013 in the court of Sessions Judge, Patna, and the same
was dismissed on 12-3-2014. Hence, this application.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The allegations against the petitioner 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 petitioner 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 Subdivisional Judicial Magistrate, Patna in connection with Complaint Case No. 2249(C)/2009 , subject to the conditions as laid down under section 438(2) Cr.P.C.

(L. Narasimha Reddy,CJ)

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