

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38923 of 2013

Arising Out of PS.Case No. -17 Year- 2013 Thana -HATHAURI District- SAMASTIPUR

Rajesh Yadav @ Rajesh Kumar Yadav, son of Maksudan Yadav,
Resident of Village-Gamharia, P.S.-Hathauri (Shivaji Nagar O.P.),
Distt-Samastipur

.... Petitioner/s

Versus

1.The State of Bihar.
2. Reena Kumari, D/O Ram Jatan Yadav, R/V-Gulrahi,
P.S. Hathouri, District-Samastipur.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan (APP)

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 09-04-2015 The petitioner figured as an accused in Hathauri (Shivaji Nagar O.P.) P.S. Case No.17 of 2013 arising out of Complaint Case No.124 of 2013.

Apprehending arrest, the petitioner filed A.B.P. No.1098 of 2013 in the court of the Sessions Judge, Samastipur. The same was dismissed on 6.8.2013. Hence, this application for grant of anticipatory bail under Section 438 of Cr.P.C.

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

The only allegation against the petitioner is referable to Section 498A of the Indian Penal Code. Even if any part of the allegation against the petitioner is true, it does not warrant arrest of the petitioner. Hence, the application is allowed.

In the event of arrest, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur, in connection with Hathauri (Shivaji Nagar O.P.) P.S. Case No.17 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(L. Narasimha Reddy,CJ)

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