

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33117 of 2014

Arising Out of PS.Case No. -568 Year- 2013 Thana -COMPLAINT CASE District- LAKHISARAI

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1. Sonu Kumar Vishwakarma Son of Mahesh Prasad Vishwakaram @ Mahesh Prasad Sharma
 2. Mahesh Prasad Vishwakarma @ Mahesh Prasad Sharma S/o Late Narsingh Prasad Vishwakarma
 3. Smt. Rani Devi W/o Prasad Vishwakarma @ Mahesh Prasad Sharma, All resident of Durga Asthan Sultanganj, P.S.-Sultganjga, District-Bhagalpur.

.... Petitioners

Versus

1. . The State of Bihar
2. Kumari Soni @ Rani W/o Sri Sonu Kumar, D/o Sri Abhimanu Prasad Vishwakarma Resident of Mohalla-Babua Bazar, P.S.-Pribazar, District-Lakhisarai. (Complainant)

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra

For the Opposite Party/s : Mr. G.S.Gupta, APP

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 04-02-2015 The petitioners are accused for offence punishable under Section 498-A of the Indian Penal Code. They have filed this application with a prayer for grant of anticipatory bail.

The petitioners filed A.B.P.No. 145 (1) of 2014 in the court of Additional Sessions Judge, Lakhisarai, and the same was dismissed on 27.6.2014. Hence, this application.

The allegations against the petitioners are only

referable to Section 498-A, IPC. In the recent past Hon’ble Supreme Court held that arrest and continued detention, in cases registered under Section 498-A, IPC is almost unwarranted. Therefore, arrest of the petitioners is not at all warranted.

Hence, the application is allowed.

It is directed that in the event of arrest, the petitioners shall be released on bail on furnishing bail bond of Rs.10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Om Shankar, Judicial Magistrate 1st Class, Lakhisarai in connection with Complaint Case No. 568 (C) of 2013.

(L. Narasimha Reddy,CJ)

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