

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33068 of 2014

Arising Out of PS.Case No. -186 Year- 2014 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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Navin Malakar @ Navin Kumar, Son of Shailendra Malakar, Resident of
village Jodhanbigha, P.S. Shekhopur Sarai, District- Sheikhpura.

.... Petitioner

Versus

1. The State of Bihar
2. Rubi Devi D/o Bhushan Malakar at present resident at Nai Sarai, Dhobi
Gali, P.S. Bihar, District-Nalanda.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Satya Ranjan Sinha, Adv.
Mrs.Seems Kumari, Adv.
For the Opposite Party : Mr. Bharat Bhushan(App)
Mr. Raj Kishore Prasad, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 04-02-2015 The petitioner figured as an accused in Bihar

P.S. Case No.186/2014, on the file of Chief Judicial
Magistrate, Nalanda at Biharsharif, for the offence
punishable under Sections- 498A, 323, 494 of I.P.C. and
¾ of D.P. Act.

Apprehending arrest, the petitioner filed
A.B.P. No.732/2014 in the court of Sessions Judge,
Nalanda at Biharsharif. The learned Judge rejected the
application through order dated 18.7.2014. 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, as also learned counsel for the informant.

Having regard to the allegation against him, this Court is convinced that the petitioner need not be arrested. The truth or otherwise of the allegation against him needs to be established in the trial. As such, the application is allowed.

In the event of arrest, the petitioner is directed to be released on bail upon furnishing the bail-bond of Rs.10,000/- (ten thousand) along with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Bihar P.S. Case No.186/2014, subject to the conditions laid down under Section-438(2) of Cr.P.C.

(L. Narasimha Reddy,CJ)

K.C.jha/-

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