

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39805 of 2014

Arising Out of PS.Case No. -352 Year- 2013 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Dhuman Sah Son of Baidhnath Sah Resident of Village - Turkauliya
Bansbatiya Tola, P.S. - Turkauliya, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Prem Kr.Jha(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 23-07-2015 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 a case registered for the offences punishable under sections 498(A) and 323 of the Indian Penal Code and ¾ of the Dowry Prohibition Act.

Apprehending his arrest the petitioner filed A.B.P. No. 2053 of 2014 in the court of Sessions Judge, East Champaran, Motihari, and the same was dismissed on 2-9-2014. Hence, this application.

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

The allegations against the petitioner are 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 above named petitioner shall 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 Chief Judicial Magistrate,East Champaran at Motihari in connection with Turkaulia P.S. Case No. 352 of 2013, subject to the conditions as laid down under section 438(2) Cr.P.C.

(L. Narasimha Reddy,CJ)

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