

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42342 of 2014

Arising Out of PS.Case No. -850 Year- 2013 Thana -ROHTAS COMPLAINT CASE District-
SASA(ROHTAS)

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Ran Vijay Singh Son of Jitendra Kumar Singh @ Kavi, R/o Village
Bimawan, PS Jagdishpur, Distt. Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

2. Seema Devi Wife of Ran Vijay Singh and Daughter of Awadh Bihari
Singh, R/o Vill. Suara, PS Suryapur, Distt. Rohtas

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raani Kant Singh

For the Opposite Party/s : Mr. Hirday Pd. Singh, APP

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 02-07-2015

This application under Section 438 CrPC is filed with a prayer for grant of anticipatory bail to the petitioner who is an accused in relation to Complaint Case No. 850 of 2013 for the offence punishable under Sections 498A of the Indian Penal Code pending in the court of the Sub Divisional Judicial Magistrate, Bikramganj, District Rohtas.

Apprehending his arrest, the petitioner filed ABA No. 1066/2014 in the court of learned Sessions Judge, Rohtas at Sasaram.. The same was rejected through order dated 7.8.2014.

Heard learned counsel for the petitioner and the learned Additional Public Prosecutor.

The allegation against the petitioner is referable to

Section 498A IPC. In the recent past, the Hon’ble Supreme Court held that arrest and continued detention, in cases registered under Section 498A IPC, is almost unwarranted. Therefore, it is not at all necessary to arrest an accused in a case of that nature.

Hence, this application is allowed. It is directed that in the event of his arrest, the petitioner, namely, Ran Vijay Singh 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 the learned Sub Divisional Judicial Magistrate, Bikramganj, District Rohtas, in connection with Complaint Case No. 850/2013, subject to the conditions as laid down under Section 438(2) CrPC.

It is further directed that in case the complainant-wife intends to join the petitioner, he shall be under obligation to take and maintain her. If the petitioner refuses to maintain her, the anticipatory bail shall stand cancelled.

(L. Narasimha Reddy,CJ)

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