

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43400 of 2014

Arising Out of PS.Case No. -4263 Year- 2013 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

=====

1. Ajit Kumar @ Ajit Kumar Singh @ Tinku Son of Lal Babu Singh @
Nagendra Singh Resident of Village-Chausia, P.S.-Sonepur, District-Saran
(Chapra).

.... Petitioner/s

Versus

1. The State of Bihar
2. Puspa Kumari @ Guriya Wife of Ajit Kumar @ Ajit Kumar Singh @
Tinku Resident of Village-Eighhi Khurd, P.O.-Digghi Kala, P.S.-Hazipur
Sadar, District-Vaishali.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Upendra Kumar (App)

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 13-04-2015 The petitioner figured as accused in Complaint
Case No.4263 of 2013, registered on the basis of a complaint
submitted by the wife of the petitioner alleging offences
including one punishable under Section-498A of I.P.C.
Apprehending arrest, the petitioner filed A.B.P. No. 1006/2014
in the court of learned Sessions Judge, Vaishali at Hajipur. The
learned Judge rejected the application through order dated
5.9.2014. 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.

Whether one goes by the nature of allegations or
the law laid down by the Supreme Court in the recent past,

the arrest of a person who figured as accused in a case wherein offences punishable under Section-498A of I.P.C. is alleged, is not at all warranted.

Therefore, 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, Vaishali at Hajipur in connection with Complaint Case No.4263 of 2013, subject to the conditions that:-

(a) if any arrangement has been ordered by this Court on earlier occasion, it shall be in force till the disposal of the case before the trial court;

(b) the petitioner shall be under obligation to live with and maintain his wife, if she is otherwise willing; and

(c) disposal of this application shall be without prejudice to the proceedings for mediation, if any.

(L. Narasimha Reddy,CJ)

K.C.jha/-

U		T	
---	--	---	--