

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40664 of 2013**

Arising Out of PS.Case No. -1603 Year- 2011 Thana -SARAN COMPLAINT CASE District-  
SARAN

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Ram Babu Choudhary, Son of Jagdish Choudhary, Resident Of Village -  
Dariyaganj, P.O. and P.S.- Doriganj, District - Saran

.... .... Petitioner/s

Versus

1. The State Of Bihar  
2. Rijwanti Devi, W/O Ram Babu Chaudhary & daughter of Prabhu  
Chaudhary, resident of Vill.- Rampur Sirisiya, P.O. & P.S.Kinilganj,  
Distt-Saran.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nagendra Rai, Advocate  
For the Opposite Party/s : Mr. Dilip Kumar (APP)

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**ORAL ORDER**

3      09-04-2015                      The petitioner figured as an accused in Complaint Case  
  
No.1603 of 2011 (Trial No.2330/2013) pending in the court of  
  
S.D.J.M., Chapra, Saran.

Apprehending arrest, the petitioner filed A.B.P. No.793  
  
of 2013 before the Sessions Judge, Saran at Chapra. The same was  
  
dismissed on 17.7.2013. 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.

The only allegation against the petitioner is referable to  
  
Section 498A of the Indian Penal Code. Even if any part of the  
  
allegation against the petitioner is true, it does not warrant arrest

of the petitioner. Hence, the application is allowed.

In the event of arrest, the petitioner is directed to 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, Chapra, Saran, in connection with Complaint Case No.1603 of 2011 (Trial No.2330/2013), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(L. Narasimha Reddy,CJ)**

PNM

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