

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1126 of 2014

Arising Out of PS.Case No. -506 Year- 2011 Thana -PATNA COMPLAINT CASE District-
PATNA

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Sachin Mahto @ Sachin Kumar Son of Krishna Mahto, Resident Of Village
- Top, P.S. -ajahapur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sundari Devi w/o Sachin Mahto, D/o Shashi Mahto, Vill. Trai, PS Shalijalanpur, Dist. Patna
3. Sanju Thakur s/o Munna Thakur, Vill. Burva, PO Miyaganj, PS +Dist. Kawnaj, Uttar Pradesh

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Kumar Bhatnagar

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

3 25-06-2015 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.506 of 2011 in the court of Shri Nitin Kaushik, Judicial Magistrate 1st Class, Patna City. The wife of the petitioner filed the complaint case registered under Section 498A of the Indian Penal Code.

Apprehending his arrest, the petitioner filed ABP No.5398 of 2012 before the learned Sessions Judge, Patna. The same was rejected by the trial court through order dated 21.8.2013. Hence this application.

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

The only allegation against the petitioner is referable

to Section 498A IPC. It is not at all necessary to arrest an accused in a case of that nature.

This application is allowed. It is directed that in the event of his arrest, the petitioner, namely, Sachin Mahto @ Sachin Kumar shall be released on bail on furnishing bail bond of Rs.10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Nitin Kaushik, Judicial Magistrate 1st Class, Patna City, Patna in connection with Complaint Case No. 506 of 2011, subject to the conditions as laid down under Section 438(2) CrPC.

(L. Narasimha Reddy,CJ)

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