

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8997 of 2014**

Arising Out of PS.Case No. -35 Year- 2013 Thana -MAHILA PS District- GOPALGANJ

1. Bikrant Singh Son Of Late Ram Deo Singh Resident Of Village-  
Padrauna, P.S.-Bhorey, District-Gopalganj

.... .... Petitioner/s

Versus

1. The State Of Bihar

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

**Appearance :**

For the Petitioner/s : Mr. Rajesh Roy

For the Opposite Party/s : Mr. Ramesh Chandra (App)

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

4      13-04-2015                      The petitioner figured as accused in Gopalganj (Mahila) P.S. Case No.35 of 2013, G.R. No.3901 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.2003 of 2013 in the court of learned Sessions Judge, Gopalganj. The learned Judge rejected the application through order dated 16.1.2014. 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.

The order dated 18.4.2014 granting provisional anticipatory bail to the petitioner shall be treated as one granting anticipatory bail subject to the conditions that:- (a) if any arrangement 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/-

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