

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12699 of 2014

Arising Out of PS.Case No. -300 Year- 2012 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Gore Lal Chauhan Son Of Sheonandan Chauhan R/O- Village - Kewal
Bigha, P.S.- Manpur, District - Nalanda

.... Petitioner/s

Versus

1. The State Of Bihar
2. Soni Kumari, Daughter of Ramprit Chauhan, village- Brahmtand, P.S.-
Tetua, District-Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

5 13-04-2015 The petitioner figured as accused in

Complaint Case No.300C of 2012, 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.104/2014 in the court of learned Sessions

Judge, Nalanda at Biharsharif. The learned Judge

rejected the application through order dated 13.2.2014.

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 Judicial Magistrate, 1st Class, Biharsharif (Nalanda) in connection with Complaint Case No.300C of 2012, 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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