

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23617 of 2014

Arising Out of PS.Case No. -1 Year- 2014 Thana -MAHILA PS District- JAMUI

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1. Santosh Kumar Sah Son of Rajendra Prasad Sah
2. Rajendra Prasad Sah Son of Late Jamuna Sah
3. Monorama Devi W/o of Rajendra Prasad Sah All residents of Village-
Chakai, P.O. & P.S.-Chakai, District-Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Adv.

For the Opposite Party/s : Mr. Durgesh Nandan(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 13-04-2015 The petitioners figured as accused in Jamui Mahila P.S. Case No.1 of 2014, registered on the basis of a complaint submitted by the wife of petitioner No.1 alleging offences including one punishable under Section-498A of I.P.C. Apprehending arrest, the petitioners filed A.B.A. No.105 of 2014 in the court of learned Sessions Judge, Jamui. The learned Judge rejected the application through order dated 19.5.2014. Hence, this application for grant of anticipatory bail under Section-438 of Cr.P.C.

Heard learned counsel for the petitioners 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 5.9.2014 granting provisional anticipatory bail to the petitioners shall be treated as one granting anticipatory bail 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) 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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