

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42981 of 2014

Arising Out of PS.Case No. -180 Year- 2014 Thana -BAHERA District- DARBHANGA

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Manoj Kumar Yadav, son of Ram Babu Yadav, resident of village Motipur,
P.S.- Bahera, District- Darbhanga Petitioner/s

Versus

1. The State of Bihar
 2. Bishekha Devi, wife of Manoj Kumar Yadav, resident of Motipur, P.S.-
Bahera, District- Darbhanga. At present Banskati, P.S.- Bahera, District-
Darbhanga. Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Harendra Prasad(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

3 13-04-2015 The petitioner figured as accused in Bahera
P.S. Case No. 180 of 2014, 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.
279 of 2014 in the court of learned Sessions Judge,
Camp Court, Benipur, Darbhanga. The learned Judge
rejected the application through order dated 3.9.2014.
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 A.C.J.M., Benipur (Darbhanga) in connection with Bahera P.S. Case No.180 of 2014, 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) 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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