

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21028 of 2014

Arising Out of PS.Case No. -1148 Year- 2011 Thana -MUNGER COMPLAINT CASE District-
MUNGER

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1. Mukesh Kumar @ Mukesh Kumar Poddar Son of Baleshwar Poddar
Resident of Mohalla - Chhoti Keshopur Nalapur, Police Station - Jamalpur,
District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Suman Kumari wife of Mukesh Kumar daughter of Sakaldeo Poddar
resident of Nayatola, Kalarampur, Police Station Naya Ram Nagar, District
- Munger.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Pranav Kumar (App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 25-06-2015 This application is filed under section 438 of the Code
of Criminal Procedure with a prayer to grant anticipatory bail to
the petitioner in connection with Complaint Case No. 1148-C of
2011 for the offence punishable under section 498-A of the Indian
Penal Code.

Apprehending his arrest, the petitioner filed A.B.A. No.
275/13 in the court of Sessions Judge, Munger, and the same was
dismissed on 13-9-2013. Hence, this application.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The allegations against the petitioner are only referable

to Section 498-A of the Indian Penal Code. In the recent past Hon’ble Supreme Court held that arrest and continued detention in cases registered under section 498-A of the Indian Penal Code is almost unwarranted.

Hence, the petition is allowed. In the event of arrest, the petitioner shall be enlarged on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Subdivisional Judicial Magistrate, Munger, in connection with Complaint Case No. 1148-C of 2011, subject to the conditions as laid down under section 438(2) Cr.P.C.

(L. Narasimha Reddy,CJ)

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