

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19724 of 2014

Arising Out of PS.Case No. -207 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Bhola Chaudhary, Son of Janak Chaudhary, Resident of village -
Brahampur, P.S. Chhauradano, Distt. - East Champaran

.... Petitioner

Versus

1. State of Bihar
2. Ramawati Devi, W/o- Bhola Chduahry, d/o Shambhu Chaudhary,
resident of village- Brahampura, presently resident of village- Phatua,
P.S. Chhauradano, Distt. East Champaran

.... Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Umesh Kumar Singh, Adv.

For the Opposite Parties : Mr. Mukesh Kr. Singh (App)

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 02-07-2015 The petitioner figured as accused in Trial

No.2591/2013, arising out of Complaint Case No.C-207 of 2013,

for the offence under Section-498A of I.P.C.

Apprehending his arrest, the petitioner filed A.B.P.

No.418/2014 in the court of learned Sessions Judge, East
Champaran, Motihari. The same was dismissed on 10.4.2014.

Hence, this application for anticipatory bail under Section-438 of
Cr.P.C.

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.

Application is allowed.

In the event of arrest let the petitioner named above be enlarged on anticipatory bail upon furnishing the bail-bonds of Rs.10,000/- (ten thousand) along with two sureties of the like amount each to the satisfaction of learned J.M., Raxaul at Motihari in connection with Tr. No.2591/13 (arising out of Complaint Case No.207/13), subject to the conditions laid down under Section-438(2) of Cr.P.C.

The petitioner shall be under obligation to maintain the wife, the complainant, if she is willing to live with him. If he refuses to maintain her, the anticipatory bail shall stand cancelled.

(L. Narasimha Reddy,CJ)

K.C.jha/-

U		T	
---	--	---	--