

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40068 of 2014

Arising Out of PS.Case No. -533 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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Md. Fool Hasan Son of Late Yunus, Resident of Barri Phulbariya, P.S. -
Bajpatti, District - Sitamarhi

..... Petitioner

Versus

1. The State of Bihar

2. Yasmin Khatoon Wife of Md. Fool Hasan, Daughter of Md. Khalil
Marhoom Resident of Barri Phulbariya, P.S. - Bajpatti, District - Sitamarhi

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 16-01-2015

The petitioner is being tried for offence punishable under Section 498-A of the Indian Penal Code. The petitioner has been arrested and is in prison since 19.8.2014.

The petitioner filed Bail Petition No. 995 of 2014 in the court of 1st Additional Sessions Judge, Sitamarhi and the same was dismissed on 5.9.2014. Hence, this application.

The allegations against the petitioner are only referable to Section 498-A, IPC. In the recent past Hon'ble Supreme Court held that arrest and continued detention, in cases registered under Section 498-A, IPC is almost unwarranted. Therefore, further detention of the petitioner is not at all

warranted.

Hence, the petition is allowed. The petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Pupri at Sitamarhi, in connection with C-1/533/2013.

(L. Narasimha Reddy,CJ)

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