

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40216 of 2014

Arising Out of PS.Cao. -108 Year- 2014 Thana -SURSAND District- SITAMARHI

Mokima Khatoon W/o Kalam Hussain Ansari, resident of Village
Singhihai, PS Sursand, Dist. Sitamarhi

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Itkhar Mohammad, APP

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 5.8.2014.

The petitioner filed Bail Petition No. 963 of 2014 in the court of Sessions Judge, Sitamarhi and the same was dismissed on 2.9.2014. 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 Chief Judicial Magistrate, Sitamarhi in connection with Sursand PS Case No. 108 of 2014.

(L. Narasimha Reddy,CJ)

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