

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23760 of 2014

Arising Out of PS.Case No. -313 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Sunil Singh Son of Late Yugul Singh
2. Sheela Kunwar @ Sheela Devi W/O-Late Yugul Singh
3. Awadhesh Singh Son of Ram Chandra Singh
4. Mala Devi W/O-Awadhesh Singh All are residents of village- Ujjain
Lohiyar Sighan, P.S.-Harsidhi, District-East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Seema Devi D/O-Late Sitaram Singh Resident of Village-Ujjain Lohiyar,
Dobhi Tola, P.S.-Harsidhi, District-East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Mr. U.S.P.Singh(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

3 13-04-2015 The petitioners figured as accused in

Complaint Case No.C-313/203, registered on the basis of

a complaint submitted by Opposite Party No.2, alleging

offences including one punishable under Section-498A of

I.P.C. Apprehending arrest, the petitioners filed A.B.P.

No.162/14 in the court of learned Sessions Judge, East

Champaran at Motihari. The learned Judge rejected the

application through order dated 25.4.2014. Hence, this

application for grant of anticipatory bail under Section-

438 of Cr.P.C.

Heard learned counsel for the petitioners 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.

The order dated 9.9.2014, granting provisional anticipatory bail to the petitioners shall be treated as one granting anticipatory bail 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) 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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