

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21632 of 2014

Arising Out of PS.Case No. -55 Year- 2013 Thana -SIGORI District- PATNA

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1. Md. Sarfaraz Alam Son of Md. Sagir Ahmad resident of village - Sigori,
P.S. Sigori, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Khushabu Perveen, D/o Nizamuddin Ansari, R/O/ Sigori P.S. Sigori,
Dist-Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

6 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 Sigori P.S. Case No. 55/2013 for the offence punishable under section 498-A of the Indian Penal Code.

Apprehending his arrest, the petitioner filed A.B.P. No. 5217 of 2013 in the court of Sessions Judge, Patna, and the same was dismissed on 21-3-2014. Hence, this application.

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

The allegations against the petitioner are referable to section 498(A) and other sections of the Indian Penal

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

Hence, the petition is allowed. In the event of arrest, the petitioner above named shall be released on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Danapur, District Patna, in connection with Sigori P.S. Case No. 55/2013, subject to the conditions as laid down under section 438(2) Cr.P.C.

(L. Narasimha Reddy, CJ)

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