

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51483 of 2014

Arising Out of PS.Case No. -693 Year- 2012 Thana -GAYA COMPLAINT CASE District- GAYA

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1. Deomanti Devi @ Demanti Devi wife of Karu Das
 2. Karu Das son of Late Dhanu Das Both resident of village - Kharkhura Chamartoli, P.S. Delha District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar
2. Guria Devi w/o Santosh Ravidas d/o Sopal Das, R/o Kharkhura Chamar Toli, PO & PS Gaya, PS Delha, District Gaya

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Opposite Party/s : Mr. Rajendra Pd.Nat(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 02-07-2015

This application under Section 438 CrPC is filed with a prayer for grant of anticipatory bail to the petitioners who are accused in relation to Complaint Case No. 693/2012 for the offence punishable under Section 498A IPC read with Section 3 /4 of the Dowry Prohibition Act in the court of the Chief Judicial Magistrate, Gaya.

Apprehending their arrest, the petitioners filed ABP No.1752/2014 in the court of learned Sessions Judge, Gaya. The same was rejected through order dated 17.11.2014.

Heard learned counsel for the petitioner and the learned Additional Public Prosecutor.

The allegation against the petitioner is referable to Section 498A IPC. In the recent past, the Hon'ble Supreme

Court held that arrest and continued detention, in cases registered under Section 498A IPC, is almost unwarranted. Therefore, it is not at all necessary to arrest an accused in a case of that nature.

Hence, this application is allowed. It is directed that in the event of arrest, the petitioners, namely, Deomati Devi @ Demanti Devi and Karu Das shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties each of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya, in connection with Complaint Case Case No.693/2012, subject to the conditions as laid down under Section 438(2) CrPC.

(L. Narasimha Reddy,CJ)

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