

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43104 of 2014

Arising Out of PS.Case No. -1122 Year- 2012 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Subhash Mahto, son of Ram Ekbal Mahto, resident of village Rampur Asli,
P.S. Sahebganj, District-Muzaffarpur.

.... Petitioner/s

Versus

1. State of Bihar
2. Pratima Devi, wife of Subhash Mahto, Daughter of Rameshwar Mahto,
resident of Village and P.O. Rajwara, P.S. Sahebganj, District-
Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. S. Dayal (APP)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 27-01-2015

The petitioner is being tried for offence punishable under Section 498-A and other allied sections of the Indian Penal Code. The petitioner has been arrested and is in prison since 21.8.2014.

The petitioner filed Bail Petition No.986 of 2014 in the court of 8th Additional Sessions Judge, Muzaffarpur and the same was dismissed on 25.9.2014. Hence, this petition.

The allegations against the petitioner are only referable to Section 498-A, I.P.C. In the recent past Hon'ble Supreme Court held that arrest and continued detention, in cases registered under Section 498-A, I.P.C. 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/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., (West) Muzaffarpur, in connection with Complaint Case No.1122 of 2012.

(L. Narasimha Reddy, CJ)

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