

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45446 of 2014

Arising Out of PS.Case No. -211 Year- 2014 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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Kamlesh Paswan, Son of Late Shiv Nandan Paswan, Resident of Village-
Barith, Police Station- Katrisarai, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Kishor Prasad, Adv.

For the Opposite Party : Mr. Birendra Kumar, Adv.

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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 498A, 341, 323, 504 and 379/34 of I.P.C. and $\frac{3}{4}$ of Dowry Prohibition Act. The petitioner has been arrested and is in prison since 9.9.2014.

The petitioner filed Bail Petition No.853 of 2014 in the court of learned 1st Additional Sessions Judge, Nalanda at Biharsharif and the same was dismissed on 9.10.2014. Hence, this application.

The prime allegation against the petitioner is 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 bonds of Rs.10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Nalanda at Biharsharif, in connection with Giriyak (Katrisarai) P.S. Case No.211 of 2014.

(L. Narasimha Reddy,CJ)

K.C.jha/-

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