

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3679 of 2014

Arising Out of PS.Case No. -2310 Year- 2012 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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1. Ajit Raut @ Ajit Ram Son Of Jagdish Ram Resident Of Village-
Singhwara, P.S.-Sigwara, District-Darbhang.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Chandani Kumari, Daughter of Sitaram Ram, Vill-I.A.R.I., Pusa, Lal
Bangla, P.S. -Pusa, Distt- Samastipur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Chaudhary Prem Kumar Thakur, Adv.

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

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

5 13-04-2015 The petitioner figured as accused in

Complaint Case No.2310 of 2012, registered on the basis
of a complaint submitted by the wife of the petitioner
alleging offences including one punishable under Section-
498A of I.P.C. Apprehending arrest, the petitioner filed
A.B.P. No.12 of 2014 in the court of learned Sessions
Judge, Samastipur. The learned Judge rejected the
application through order dated 4.1.2014. Hence, this
application for grant of anticipatory bail under Section-
438 of Cr.P.C.

Heard learned counsel for the petitioner 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 offence punishable under Section-498A of I.P.C. is alleged, is not at all warranted.

Therefore, the application is allowed.

In the event of arrest, the petitioner is directed to be released on bail upon furnishing the bail-bond of Rs.10,000/- (ten thousand) along with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Samastipur in connection with Complaint Case No.2310 of 2012, 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) the petitioner shall be under obligation to live with and maintain his wife, if she is otherwise willing; and

(c) 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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