

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35922 of 2014

Arising Out of PS.Case No. -1349 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Seltu Barman @ Sentu Barman @ Seltu Barban @ Sentu Barban, son of
Anil Barman, resident of village Tetol Tola, Bardwan, P.S.- Raiganj,
District- North Dimajpur (West Bengal).

.... Petitioner/s

Versus

1. The State of Bihar
2. Deepa Devi, wife of Seltu Barman, resident of village Jhaljhali, P.S.-
Balrampur, District- Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Adv.

For the Opposite Party/s : Mr. Ganesh Pd. Singh(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 13-04-2015 The petitioner figured as accused in

Complaint Case No.CA1349/2013, 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.392/14 in the court of learned Sessions Judge,
Katihar. The learned Judge rejected the application
through order dated 11.8.2014. 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 offences 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 S.D.J.M., Katihar in connection with Complaint Case No.CA1349/2013, 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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