

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15800 of 2014

Arising Out of PS.Case No. -1259 Year- 2012 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Baliram Singh Son Of Late Angad Singh Resident Of Village -
Bhakuriya, P.S.- Indrapuri, District- Rohtas

.... Petitioner/s

Versus

1. The State Of Bihar
2. Arti Devi Wife Of Baliram Singh, Daughter Of Shivpujan Singh Resident
of Mohalla - Kuraich Mahavir Asthan, P.S.- Sasarm (T), District - Rohtas

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Pd.(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.1259 of 2012/Tr. No.2129 of 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.203/2014 in the
court of learned Sessions Judge, Rohtas, Sasaram. The
learned Judge rejected the application through order
dated 18.2.2014. 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.

The order dated 24.4.2014, granting provisional anticipatory bail to the petitioner shall be treated as one granting anticipatory bail 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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