

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39719 of 2014

Arising Out of PS.Case No. -109 Year- 2013 Thana -MALSALAMI District- PATNA

Rajesh Paswan Son of Sudarshan Paswan Resident of Mohalla - Mangal Akhara, P.S.- Malsalami, District -Patna

..... Petitioner

Versus

1. The State of Bihar

2. Nilu Devi Wife of Rajesh Paswan Resident of Village -Mangal Akhara, P.S.- Malsalami, District -Patna

.... Opposite Parties

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh

For the Opposite Party/s : Mr. Iftekhar Mahmood, APP

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 16-01-2015

The petitioner is being tried for offence punishable under Section 498-A of the Indian Penal Code. The petitioner has been arrested and is in prison since 24.4.2014.

The petitioner filed Bail Petition No.621 of 2013 in the court of 1st Additional Sessions Judge, Patna City and the same was dismissed on 24.4.2014. Hence, this application.

The allegations against the petitioner are only referable to Section 498-A, IPC. In the recent past Hon'ble Supreme Court held that arrest and continued detention, in cases registered under Section 498-A, IPC 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/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Patna City, in connection with Malsalami PS Case No. 109 of 2013.

(L. Narasimha Reddy,CJ)

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