

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49473 of 2013

Arising Out of PS.Case No. -82 Year- 2013 Thana -SHEKHPURA COMPLAINT CASE District-
SEKHPURA

=====

1. Sujit Kumar @ Sujit Yadav S/O Naresh Yadav R/O Village- Ambabigha,
P.S.- Sare, Distt.- Nalanda

.... Petitioner

Versus

1. The State Of Bihar
2. Mamta Kumari @ Neha Kumari, D/o Sri Nagina Yadav, r/o vill-
Makdumpur ward No.5, P.S. & Distt- Sheikhpura

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Adv.

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

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

4 13-04-2015 The petitioner figured as accused in Complaint Case No.82(C) 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.A. No.403/13 in the court of learned A.D.J. Sheikhpura. The learned Judge rejected the application through order dated 31.10.2013. 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 10.3.2014 granting provisional anticipatory bail 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/-

U		T	
---	--	---	--