

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42477 of 2014

Arising Out of PS.Case No. -362 Year- 2014 Thana -TURKAULIYA District- EAST
CHAMPARAN(MOTIHARI)

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Lalbabu Prasad, S/o Kishun Sah of Village - Madhopur Madumalat,
Committee Chowk, P.S. - Turkaulia, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Rina Devi, D/o Anant Prasad, W/o Lalbabu Prasad, residing at Village -
Turkaulia Bazar, P.S. - Turkaulia, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No.1,APP

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 27-01-2015 The petitioner is being tried for offence punishable

under Section 498-A and other allied sections of the Indian Penal

Code. The petitioner has surrendered and is in prison since

1.8.2014.

The petitioner filed Bail Petition No.873 of 2014 in the
court of 4th Additional Sessions Judge, East Champaran, Motihari
and the same was dismissed on 11.9.2014. Hence, this application.

The allegations against the petitioner are only referable
to Section 498-A, I.P.C. In the recent past Hon'ble Supreme Court
held that arrest and continued detention, in cases registered under
Section 498-A, I.P.C. 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 Chief Judicial Magistrate, Motihari, East Champaran, in connection with Turkaulia P.S. Case No.362 of 2014.

(L. Narasimha Reddy,CJ)

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