

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40958 of 2013

Arising Out of PS.Case No. -196 Year- 2008 Thana -COMPLAINT CASE District- LAKHISARAI

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Chotu Yadav Son Of Sarjug Yadav Resident Of Vill- Bhalui Naya Tola,
P.S.- Chanan. District - Lakhisarai

.... Petitioner

Versus

1. The State of Bihar
2. Rasho Yadav @ Suresh, son of Late Mahabir Yadav, village + P.O.-
Urain, P.S.- Kajra, District – Lakhisarai.
3. Sunita Devi, daughter of Rasho Yadav @ Suresh, village + P.O.- Urain,
P.S.- Kajra, District- Lakhisarai.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Umesh Prasad, Advocate
For the State : Mr. S.Eheteshamuddin, A.P.P

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

12 30-06-2017 This petition is filed for setting aside the order of

issuance of non-bailable warrant of arrest issued by order dated

13.5.2013 in Complaint Case No.196(c) of 2008 by S.D.J.M.,

Lakhisarai.

Learned counsel for the petitioner submits that the

petitioner is still ready to keep his wife but no point is raised

regarding illegality in the impugned order issuing non-bailable

warrant of arrest.

It appears that petitioner is accused in complaint case

filed by wife under Section 498A of I.P.C. and this petitioner

instead of filing anticipatory bail before the appropriate forum has



challenged the issuance of non-bailable warrant therefore, there is no merit to interfere with the order dated 13.5.2013 whereby petitioner is required to be produced before the court in order to face the trial. So this quashing petition stands dismissed.

However, if the petitioner surrenders and moves for bail, if so advised, the same shall be considered on merit without being prejudiced by this order.

(Arun Kumar, J)

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