

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24999 of 2015

Arising Out of PS.Case No. -1110 Year- 2012 Thana -COMPLAINT CASE District- SUPAUL

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1. Prabhat Yadav @ Pradeep Yadav
2. Ravan Yadav @ Raman Yadav both sons of Nageshwar Yadav resident of Village - Rajgawn, Police Station - Jadia, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anita Devi wife of Prabhat Yadav @ Pradeep Yadav, Daughter of Late Awadh Yadav resident of Village - Laxmipur, Police Station - Chhatapur, District - Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. R.B.Rai Raman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-06-2015

Heard learned counsels for the petitioner and the State.

The petitioner no.1 being the husband of the complainant and petitioner no.2 being the brother of petitioner no.1 are apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A/34 of the Indian Penal Code.

The basic accusation is of torture.

On instruction, learned counsel for the petitioners submits that the petitioner no.1 is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has

been made in para 7 of the petition which reads as follows:-

“That the petitioner no.1 is still ready to keep the complainant with full dignity and decorum as wife.”

Considering the present stand of the petitioner no.1, let the above named petitioner no.1 be released on provisional anticipatory bail for one year in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Supaul in connection with Complaint Case No. 1110C of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. On her appearance, the petitioner no.1 will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner no.1 will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

Considering the present stand of the petitioner no.1, let

the above named petitioner no.2 be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Supaul in connection with Complaint Case No. 1110C of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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