

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22812 of 2015

Arising Out of PS.Case No. -2233 Year- 2013 Thana -PATNA COMPLAINT CASE
District- PATNA

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Binay Prasad @ Binay Singh, son of Chandreshwar Yadav, resident of
Bechutola, P.S. Bihta, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Sunita Devi, D/O Late Ram Ayodhya Yadav, wife of Binay Prasad,
present Address- C/O Deo Kumar Yadav (House of Suresh Singh), resident
of Mohalla Devi Gali Dujara, P.S.- Budha Colony, Town + District Patna

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Lovekush Kumar, Advocate
For the S t a t e : Ms. Sangita Sharma (APP)
For O.P. No.2 : Mr. Sanjay Kumar, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 30-11-2015 It is submitted that the present case has been listed

today with the caption “Not Today”, though there has been a

direction for listing today. The parties are thus present and,

accordingly, the case has been heard.

Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of O.P. No.2 as well as the

learned counsel for the State.

The petitioner and the O.P. No.2 are present in Court

today. After interactions with the parties, it transpires that the

petitioner and O.P. No.2 are willing to make a fresh start and

the petitioner will take immediate steps for going to the village

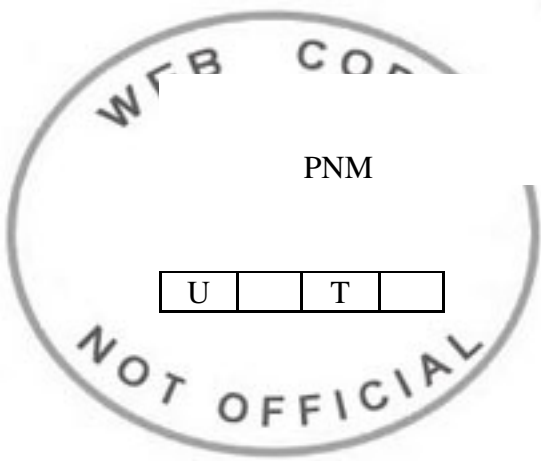
home of O.P. No.2 where she is residing with her brother and collect his wife and family and take them to his home Sadishpur at Village-Bechutola. O.P. No.2, who is present in Court, also agrees that she will go with him immediately.

Under the circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Rajiv Kumar Bharti, learned Judicial Magistrate, 1st Class, Patna, in connection with Complaint Case No.2233(C) of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that if at all there are any incidences or untoward events leading to any matrimonial discord or torture to children who will be going to their paternal home, it will be open to the O.P. No.2 to make an application before this Court or before the court below for redressal of her grievances, which shall include an application for modification/cancellation of the order passed today.

With the aforementioned observations and directions,

this application is disposed of.



(Anjana Mishra, J)