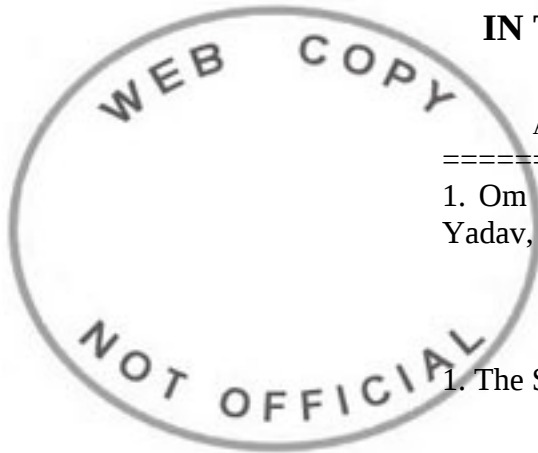




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33589 of 2014

Arising Out of PS.Case No. -40 Year- 2014 Thana -PANDARAK District- PATNA

=====

1. Om Prakash Rai @ Umesh Yadav @ Om Yadav son of Late Ambika Yadav, R/o Village- Goasa Shekhppura, P.S.- Pandarak, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad

For the Opposite Party/s : Mr. Shardanand Jha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 02-04-2015 Heard learned counsels for the petitioner, informant and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under sections 341,323,325 and 379 of the Indian Penal Code.

The accusation is of making assault by the petitioner and his second wife Seema Devi.

It is submitted on behalf of the informant that the petitioner and Seema Devi filed bail application in Barh PS Case No. 408 of 2014 lodged by the informant with accusation under

sections 498A, 494 and 323 IPC wherein petitioner had admitted that Seema Devi is his second wife.

Marriage between the petitioner and the informant and birth of four children are admitted facts. The petitioner is ready to pay Rs. 2500/- per month to the informant from May, 2015 by depositing the same in her bank account by second week of every month. Learned counsel for the informant submits that the offer of the petitioner is acceptable to the informant and the informant shall submit her bank account number on affidavit before learned court below within a period of three weeks.

Considering the stand of the parties, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Barh in connection with Pandarak P.S. Case No. 40 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The aforesaid payment will be subject to any order being passed in matrimonial or maintenance proceeding.

Three consecutive defaults in making payment by the

petitioner will give liberty to the informant to file an application for cancellation of bail of the petitioner.

(Dinesh Kumar Singh, J)

Anil/-

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