

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36890 of 2015**

Arising Out of PS.Case No. -1168 Year- 2013 Thana -BUXAR COMPLAINT CASE District-  
BUXAR

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Dhananjay Yadav, S/o Bhikhari Yadav, resident of village- Badauli, Police  
Station- Bhawar Kole, District- Gajipur (U.P.)

.... .... Petitioner/s

Versus

1. State of Bihar
2. Punam Devi, W/o Dhananjay Yadav, D/o Siyaram Yadav, resident of  
village- Badauli, Police Station- Bhawar Kole, District- Gajipur U.P. at  
present resident of village+ Post Office- Nadaon, Police Station- Buxar  
(M), District- Buxar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rahul Nath, Advocate

For the Opposite Party/s : Mr. Zainul Abedin(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR**  
**SINGH**  
**ORAL ORDER**

2      18-08-2015

Heard learned counsel for the petitioner and the  
State.

The petitioner being the husband of the  
complainant is apprehending his arrest in a complaint  
case in which processes have been directed to be issued  
after cognizance being taken for the offences punishable  
under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

On instruction it is submitted by learned  
counsel for the petitioner that the petitioner admits the  
marriage with the complainant and he is ready to keep  
the complainant as wife with full dignity and honour.  
Statement to that effect has been made in para- 6 of the  
petition which reads as follows:-

“That the petitioner is still ready

to keep her wife as per his earnings with honour and dignity.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Buxar in connection with Complaint Case No. 1168C of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

**(Dinesh Kumar Singh, J)**

P.K./-

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