

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38896 of 2015

Arising Out of PS.Case No. -2294 Year- 2009 Thana -COMPLAINT CASE District- ARRARIA

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Hari Nandan Yadav

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. A.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 323 and 379 of the Indian Penal Code.

Basic accusation is of torture.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and birth of two children. It is further submitted that the complainant is residing in the house of the petitioner and the petitioner is still ready to keep the complainant as wife with full dignity and honour, statement to that effect has been made in para 7 of the petition which reads as follows:-

“That admittedly the complainant is legally wedded

wife of the petitioner and he has fully aware his legal and social duty, responsibility and obligation to maintain and take proper care of complainant and two daughters blessed from the marriage as well as still ready and always tried his best to keep the complainant and resume his happy conjugal life and always assured the complainant to give her all dignity, love and affection as a wife desire and she is still resides in the house of the petitioner in the capacity of his wife.”

Considering the aforesaid facts, 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Araria in connection with Complaint Case No. 2294 of 2009, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The complainant will be at liberty to file an application for cancellation of bail of the petitioner if he fails to comply the undertaking given before this Court.

(Dinesh Kumar Singh, J)

Amrendra/-

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