

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46130 of 2014

Arising Out of PS.Case No. -486 Year- 2013 Thana -COMPLAINT CASE District- SUPAUL

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1. Binod Yadav Son of Late Balo Yadav resident of Laxmipur Shayat, P.S.-
Raghopur, Dist.- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar
2. Lalita Devi @ Lila Devi Wife of Binod Yadav, D/o Raghunandan Yadav
R/o Jaraila, P.S.- Tribeniganj, Dist.- Supaul.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Madan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

4 16-07-2015 Heard the Counsel for the petitioner and the

Complainant.

The petitioner is husband and seeking bail in a case
registered under Section 498A IPC vide Complaint Case
No.486C/2013.

The *inter se* dispute, as submitted by the Counsel for
both the parties, could not be resolved. The petitioner has taken a
stand that he is ready and willing to accept the complainant as his
wife and give due respect and honour whereas the case of the
complainant is that the petitioner has contracted second marriage
and she would be willing to have one time settlement. It has also
been pointed out that the complainant is living with the father and
has not been paid any interim maintenance.

Counsel for the petitioner states that as a condition of bail, he may pay certain interim maintenance to the wife subject to any order which the Court may pass in the proceeding of maintenance.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Ashutosh Rai, Judicial Magistrate, Birpur in Complaint Case No.486C/2013 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) Along with the bail bond, the petitioner shall deposit either a bank draft favouring the complainant or the receipt showing deposit of a sum of Rs. 1,000/- in the Nazarat of the Court for the month of July, 2015 which the complainant shall be entitled to withdraw. The petitioner will continue to deposit or pay the amount of Rs. 1,000/- per month as interim maintenance subject to any order which the Court may pass on an application filed by the parties for maintenance. In case, the petitioner defaults

in doing so, the complainant shall have liberty to seek cancellation
of bail in the Court below itself.

Pankaj/-

(Kishore Kumar Mandal, J)

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