

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56171 of 2015

Arising Out of PS.Case No. -2292 Year- 2012 Thana -COMPLAINT CASE District- ARRARIA

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1. Dev Narayan Yadav S/O Late Premlal Yadav resident of village- Jhauwa Tola, P.S.- Jogbani, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nirodha Devi, W/O Dev Narayan Yadav D/O Late Lakhichand Yadav resident of Village- Jhauwa Tola P.S. Jogbani, District Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh
For the Opposite Party/s : Mr. Gopesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-12-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Sections 498A and 323 of the Indian Penal Code.

The basic accusation is of torture.

On instruction it is submitted that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in

paragraph no. 18 of the petition which reads as follows:

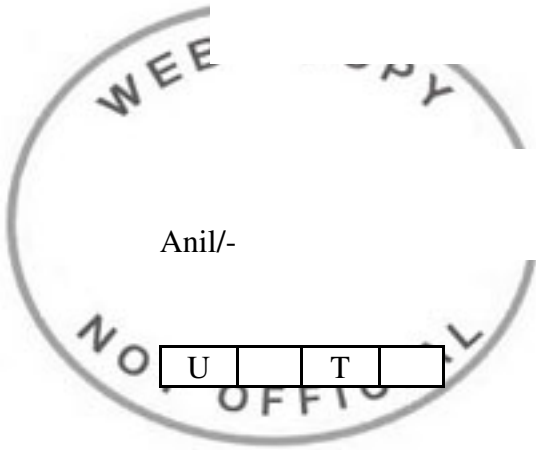
“That the petitioner is yet ready to keep the Complainant with full love and dignity. ”

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 arrest or surrender before the learned Court below within a period of twelve 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 learned SDJM, Araria in connection with Complaint Case No. 2292C of 2012 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and 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 by the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant

to reconcile the issue.



Anil/-

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(Dinesh Kumar Singh, J)