

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53823 of 2015

Arising Out of PS.Case No. -287 Year- 2015 Thana -COMPLAINT CASE District- SUPAUL

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Pappu Kumar Yadav @ Pappu Yadav, Son of Chhutaharu Yadav @
Bechchi Yadav, resident of Village Karnaatti, P.S. Triveniganj, District-
Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anju Devi W/o Pappu Yadav D/o Mahendra Yadav, @ Raudi Yadav,
resident of villge- Karnapatti, P.S.- Tribeniganj District- Supaul, Presently
R/v Charne, P.S. Chhatapur, Diatrict- Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 26-11-2015

Heard learned counsels for the petitioner and the

State.

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

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner 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 that effect has been made in paragraph 7 of the petition, which reads as follows:-

“That, it is also humbly submitted that the petitioner has never refused to discharge his liabilities of maintenance the complainant with child from spouse and he is still ready to keep her with full 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, Supaul in connection with Complaint Case No. 287C of 2015, 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)

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