

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53169 of 2015

Arising Out of PS.Case No. -833 Year- 2014 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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1. Mannu Yadav Son of Parilal Yadav Resident of Vill- Madhepur P.s
Hasanpur Dist- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Karo Devi@Babita Devi W/o Mannu yadav Present Address -D/o Bino
Yadav Vill- Mahua Chhapki P.s Hasanpur Dist Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

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

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

ORAL ORDER

2 23-11-2015 Learned counsel for the petitioner is permitted to

make necessary correction in the petition, as prayed for.

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 Section 498A 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. 8 of the petition which reads as follows:

“That the petitioner is ready to keep her with full dignity if the complainant is ready to live in her matrimonial house.”

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 JM Ist Class, Rosera, Samastipur in connection with Complaint Case No. 833 of 2014 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.

(Dinesh Kumar Singh, J)

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