

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6685 of 2015

Arising Out of PS.Case No. -651 Year- 2013 Thana -BUXAR COMPLAINT CASE District-
 BUXAR

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1. Upendra Yadav son of Indradeo Yadav, resident of village- Pranpur, P.S.-
 Kotwali- Balia, District- Balia (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar
 2. Tetari Devi wife of Upendra Yadav, resident of village- Pranpur, P.S.-
 Kotwali- Balia, District- Balia (U.P.). Present Address- Tetari Devi D/o
 Shmabhu Yadav, resident of village- Tavakol Rai, Ka Dera (Chhotaka
 Rajpur), P.S.- Simari, District- Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rang Nath Choubey

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 19.02.2015

Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

Petitioner happens to be husband of complainant and
 admittedly, his marriage was solemnized in the year 2003 with the
 complainant. It is alleged that **Gauna** of the complainant was
 solemnized in the year 2008 and after that when she went to her in –
 law house, she was subjected to cruelty and lastly, in the year 2013
 she was driven out from her matrimonial home.

The impugned order of learned Sessions Judge reveals that
 the complainant flatly refused to lead her conjugal life with the
 petitioner on the ground that the petitioner has solemnized his second
 marriage.

Considering the aforesaid facts and circumstances as well as

submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar in Complaint Case No. 651C/2013 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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