

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43202 of 2014**

Arising Out of PS.Case No. -166 Year- 2014 Thana -FATEHPUR District- GAYA

Umesh Yadav

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Abhay Kumar 1(App)

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

6      10-09-2015                      Office note dated 09.09.2015 reflects that opposite party no.2 refused to accept the notice. In the circumstance, treating the notices validly served, the application is being heard on merits.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 341, 323, 325 and 504 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfilment of the dowry demand.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 6 of the petition

which reads as follows:-

*“That it is humbly submitted here that the petitioner is always ready to keep the informant with full respect, regard and dignity.”*

Considering the present stand of the petitioner, let the above named petitioner be released on anticipatory bail 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Fatehpur P.S. Case No. 166 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The grant of bail to the petitioner will not preclude the informant to resume the conjugal life and if she files any such application before the learned court below then the learned court below will issue notice to the petitioner when the petitioner will be obliged to comply the undertaking given before this Court.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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