

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21347 of 2015

Arising Out of PS.Case No. -614 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Ram Pravesh Yadav Son of Shri Bhagirathi Yadav R/o Village - Nazamat
Motipur, P.S. - Bhorey, District - Gopalganj.

.... Petitioner.

Versus

1. The State of Bihar.
2. Mintu Devi W/o Ram Pravesh Yadav R/o Village - Nazamat Motipur,
P.S. - Bhorey, District - Gopalganj. At present D/o Sita Chaudhary, R/o
village - Bandhu Chhaper, P.S. - Bhorey, District - Gopalganj.

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Ghulam Rabbani, Advocate.
For the Opposite Party/s : Mr. Dr. M.K.Gautam(A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-07-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 323, 498A and 379/34 of the Indian Penal
Code.

The prosecution story, in short is that 12 years ago, in
the year 2002 the complainant's marriage was solemnized with the
petitioner and they began to lead their conjugal life and she gave a
birth of baby child who is aged about 7 years old viz-neha Kumari.

Since the solemnization of marriage of O.P. No. 2, the
accused named in the complaint case, including the petitioner, were
used to torture the complainant variously for want of motorcycle in



the shape of Dowry and for that she had filed Complaint Case No. 4264/11. After compromise she went to her matrimonial house. After that Opposite Party No. 2 has been ousted from the matrimonial house with the injuries caused by knife about which she has lodged case in the Court and since then Opposite Party No. 2 is living at her Maikey.

It is further said that the Opposite Party No. 2, after hearing the information that the petitioner was going to solemnize his second marriage, gave information to Bhorey P.S. to this effect and she has been sent by Officer-in-charge on 28.01.2014 at 5.00 P.M. to her matrimonial house, where she found her box to be broken and ornaments taken out and father of the petitioner had gone to foreign after selling the same. On her objection, she has been tortured variously and that is why she escaped from there to save her life and filed this case.

It has been submitted that the petitioner is not ready to keep the complainant. It is further submitted that the petitioner is ready to deposit an amount of Rs. 3,000/- each month in the Court below which may be released in favour of the complainant.

On behalf of the State, it has been submitted that the petitioner is the husband named in the F.I.R.

Considering the aforesaid facts and circumstances, it is



directed that the petitioner shall deposit an amount of Rs. 3,000/- each month in the Court below which shall be released in favour of the complainant with the aforesaid conditions, let the above named petitioner, in the event of his arrest or surrender in the Court below within a period of four weeks, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Complaint Case No. 614/14, Trial No. 1368/14, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Sudhir Singh, J.)

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