

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26878 of 2015

Arising Out of PS.Case No. -57 Year- 2015 Thana -GARDANIBAGH District- PATNA

Mukesh Kumar Yadav, S/o Late Ambika Yadav, R/o Villlage-Kataria,
P.S.-Daudnagar, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Dhirendra Kumar Sinha

For the Opposite Party : Mr. Nirmal Kumar Sinha(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 313,418, 420, 496 and 498(A)/34 of the Indian Penal Code and Section 3/4/5 of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities)Act.

It is alleged by the informant that on 19.01.2011 she performed her marriage with Mukesh Kumar (petitioner) in a temple. It is further alleged that after marriage she remained at the house of petitioner but the step mother of petitioner always used to oppose the inter-caste marriage and the family member of the petitioner used to abuse and assault her. It is further alleged that they used to say that informant belongs to Paswan community so they will not take food of her touching. Petitioner kept her in the

house of his brother and they are not ready to keep her with him. It is further alleged that step brother of petitioner, namely, Shankar used to threaten her to kill.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. Petitioner denies the marriage with the informant. Petitioner is further ready to pay deposit of an amount of Rs.1500/- per month in the court below which may be released in favour of the informant.

On behalf of the State, it has been submitted that there is consistent evidence that the petitioner is the husband of the informant.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Shri Manoj Kumar-V, Judicial Magistrate, Ist Class, Patna in connection with Gardanibagh P.S.Case No.57 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

It is directed that the petitioner shall deposit an amount of Rs.1500/- per month which shall be released in favour of the

informant unless and until there is a decree in favour of the petitioner where the marriage of the petitioner with the informant is declared to be null and void.

(Sudhir Singh, J)

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