

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6617 of 2016

Arising Out of PS.Case No. -149 Year- 2015 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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Chandan Yadav S/o Arun Yadav, resident of village- Khari (Uttarbari Tola),
P.S.- Murliganj, District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar
2. Mamta Devi W/o Chandan Yadav and D/o Badri Yadav, resident of
village- Khari (Dakshinwari Tola), P.S.- Murliganj, District- Madhepura

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s : Mr. Upendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-02-2016 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant
is apprehending arrest in a complaint case wherein process has
been directed to be issued after cognizance being taken for the
offences punishable under Section 498A of the Indian Penal
Code.

The basic accusation is of torture after ten years of
the marriage.

Learned counsel for the petitioner submits that the
petitioner admits his marriage with the complainant and
children and is ready to keep the complainant as wife with full

dignity and honour. A statement to that effect has been made in para 11 of the petition which reads as follows:-

“That the petitioner is always ready to keep his wife and children with love and care and has given an undertaking in learned court below also in this regard which is clear from impugned order itself.”

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM, 1st Class, Madhepura in connection with Complaint Case No. 149 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. 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 learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the

complainant fails to appear before the learned court below or
(iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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