

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21900 of 2016

Arising Out of Complaint Case No. -1486 Year- 2012 Thana -COMPLAINT CASE District-
BANKA

=====

Madan Yadav Son of Etwari Yadav

.... Petitioner/s

Versus

1. The State of Bihar.

2. Sulia Devi Wife of Madan Yadav, Daughter of Tipan Yadav

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajib Ranjan Jha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar No.1(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-09-2016

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 after cognizance being taken for the offences
punishable under Sections 498A and 323 of the Indian Penal
Code.

It is submitted by learned counsel for the petitioner
that the petitioner admits his marriage with the complainant and
is ready to keep her as wife with full dignity and honour. A
statement to that effect has been made in paragraph no.10 of the
petition, which reads as under :-

*"That though the petitioner is ready to keep the
complainant as wife with full dignity and honour but it is the*

complainant who do not want to reside with the petitioner."

However, counsel for the complainant submits that the petitioner performed second marriage and there is a child also with the second marriage. Moreover, the petitioner has been declared absconder after issuance of process under sections 82 and 83 of the Code of Criminal Procedure.

The above contention of the learned counsel for the complainant has not been controverted by the counsel for the petitioner.

In view of the aforesaid, let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No.1486/2012, pending before the learned CJM, Banka.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--