

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40408 of 2015

Arising Out of PS.Case No. -135 Year- 2015 Thana -GAYA MUFFSIL District- GAYA

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Vakil Yadav @ Amarjeet Kumar S/o Ramswak Yadav

.... Petitioner/s

Versus

1. The State of Bihar.

2. Anita Devi @ Rani Devi W/o Vakil Yadav @ Amarjeet Kumar and D/o
Shri Jagdev Yadav

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Murlidhar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A and 379 of the Indian Penal Code.

The basic accusation is of torture.

In pursuance to order dated 28.08.2015 petitioner and the informant opposite party no.2 are present in Court.

On instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the informant having no issue. He further submits that earlier the informant has filed Complaint Case No.2105/2010 wherein the petitioner and his family members were acquitted, on the terms of compromise, vide judgment dated 14.10.2014 passed by the

learned SDJM, Gaya and, thereafter, the present case has been lodged on 03.05.2015.

Counsel for the petitioner further submits that the petitioner is still ready to keep the informant as wife with full dignity and honour. Though statement to that effect has not been made in the petition.

On instruction, learned counsel for the informant submits that the informant accepts the offer of the petitioner.

Considering the present stand of the parties, 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 CJM, Gaya in connection with Muffasil P.S. Case No.135/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Both sides shall appear before the learned court below on 2nd February, 2016 when the petitioner will take the informant 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 informant fails to appear before the learned court below or (iii) if the informant gets reluctant to reconcile the issue.

Ashwini/-

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(Dinesh Kumar Singh, J)