

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45376 of 2015

Arising Out of PS.Case No. -52 Year- 2015 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Ravindra Yadav @ Gholat Yadav @ Gholat S/o Shyam Sundar Yadav
R/o village- Jirwa, Ward No.2, P.S. Shankarpur, District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Janki Devi W.o Ravindra Yadav @ Gholat Yadav, D/o Raj Kishore
Yadav R/o village- Jirwa, Ward No.1, P.S. Shankarpur, District
Madhepura. at present R/o village Jirwa, Ward No.1.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 19-04-2016 The petitioner being husband of the complainant apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences under Sections 498A, 323, 494, 504/34 of the Indian Penal Code.

The basic accusation is of torture and performing second marriage.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant and birth of a female child but petitioner has performed second marriage. However, the petitioner is ready to

keep the complainant with dignity and honour.

It is submitted by learned counsel for the complainant that since petitioner has performed second marriage, hence complainant is not ready to reside with the petitioner

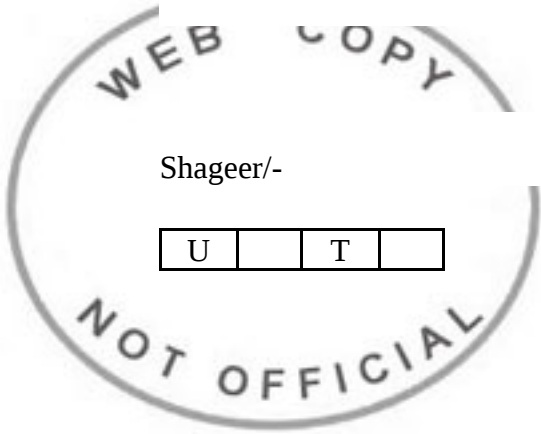
In the alternative, petitioner is ready to make payment Rs. 1800/- to the complainant from June, 2016, by depositing the same in the bank account of the complainant by 1st week of every succeeding month. The offer is acceptable to the complainant who undertakes to supply her bank account number within a period of four weeks by submitting the same on affidavit before learned Court below.

Considering the present stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 2nd Class, Madhepura in connection with Complaint Case No. 52C of 2015.

The aforesaid payments will be subject to any order being passed in matrimonial or maintenance proceeding.

Three consecutive defaults in making payment will give liberty to the complainant to file appropriate application for cancellation of bail of the petitioner.

The present order, in no way will preclude
the parties to resolve the issue otherwise.



(Dinesh Kumar Singh, J)