

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52341 of 2015

Arising Out of PS.Case No. -3646 Year- 2013 Thana -SARAN COMPLAINT CASE District-
SARAN

Arbind Kumar Yadav @ Arbind Kumar, Son of Late Chandeshwar Yadav,
resident of Village - Chaturbhuj Chapra, Police Station - Baniyapur, District
- Saran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sarita Kumari, Wife of Arbind Kumar Yadav, resident of Village -
Chaturbhuj Chapra, Police Station - Baniyapur, District - Saran. at present :
- a resident of Village - Enai (Mobarakpur), P.S. - Revelganj, District -
Chapra.

.... Opposite Party/s

Appearance :

For the Petitioner : Mr. Harish Kumar, Advocate
For the State : Mr. A.K.Choudhary(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 06-05-2016 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No.3646 of 2013 (Trial No.2893 of 2015)
for allegedly having committed the offence under Sections 323,
324, 498A, 506, 504/34 of the Indian Penal Code and under
Sections 3/4, 6, 7 of the Dowry Prohibition Act.

Though earlier notices were issued to O.P. No.2, the
same could not be validly served and the matter has been
lingering since long.

Learned counsel for the petitioner submits that though

the petitioner is willing and ready to keep the complainant (O.P. No.2) with all honour and dignity, she has already denied and expressed her unwillingness to live with the petitioner. This fact finds recorded in the impugned order, wherein it has been stated that in Matrimonial Case No.1 of 2014 pending in the Family Court, Chapra for restitution of conjugal rights, the wife of the petitioner appeared and denied to live with him.

Considering the aforementioned facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Saran at Chapra, in connection with Complaint Case No.3646 of 2013 (Trial No.2893 of 2015), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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