

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37280 of 2016

Arising Out of PS.Case No. -25 Year- 2014 Thana -JAYNAGAR District- MADHUBANI

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1. Sanjeev Kumar Yadav Son of Dev Narayan Yadav Resident of Village-
Sonmati Jamuniya Tole, P.S.- Babubarhi, District- Madhubani
..... Petitioner

Versus

1. The State of Bihar
2. Shri Deo Yadav Son of Late Abhayran Yadav resident of Village Belhi,
West Tole, P.S. Jay Nagar, District- Madhubani Opposite Parties

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Appearance :

For the Petitioner : Mr. Gagan Deo Yadav, Adv.
For the Opposite Parties : Mr. Matloob Rab, APP 34

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 29-08-2016 Heard the learned counsel for the petitioner and the
State.

The petitioner, being the husband of the informant, apprehending arrest in a case registered under Sections 341, 323, 379, 498A and 504 of the Indian Penal Code and 3 and 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand and driven out the informant's daughter from the matrimonial house after snatching her ornaments.

On instruction, it is submitted that the petitioner admits his marriage with the informant's daughter and is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 9 of the petition, which reads as follows :

“That petitioner is husband of the informant's daughter and he is ready to keep his wife with all respects.”

Considering the present stand of the petitioner, above

named, be released on **provisional anticipatory bail for four months** 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 Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Jay Nagar P.S. Case No. 25 of 2014 to the satisfaction of the Subdivisional Judicial Magistrate, Madhubani, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

Let the learned Court below issue notice to the informant's daughter and on her appearance the petitioner will take the informant's daughter to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the informant's daughter fails to appear before the learned Court below or (iii) if the informant's daughter deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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