

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4510 of 2016

Arising Out of PS.Case No. -189 Year- 2015 Thana -JOKIHAT District- ARRARIA

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1. Bahadur Prasad Yadav Son of Late Paltu Yadav, Resident of Village - Mahalgaon, Police Staton - Mahalgaon, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Suman Devi, Wife of Bahadur Prasad Yadav, Resident of Village - Mahalgaon, Police Station - Mahalgaon, District - Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Narayan Mahto
For the Opposite Party/s : Mr. Ajay Kumar 1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2016 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 offence punishable under Sections 341,323,504 and 498A/34 of the Indian Penal Code.

The basic accusation is of torture.

On instructions, it is submitted that the petitione admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 9 of the petition relevant portion of

which reads as follows:

“.....that petitioner is ready to keep her peacefully without any demand of dowry with full dignity and honour as respectful wife. ”

Considering the present stand of the petitioner, 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM Araria in connection with Jokihat (Mahalgaon) P.S. Case No. 189 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant and on her appearance 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 the learned court below in three eventualities –
(i) if the matrimonial harmony is substantially restored or
(ii) if the informant fails to appear before the learned



court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.



Anil/-

(Dinesh Kumar Singh, J)

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