

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4393 of 2016

Arising Out of PS.Case No. -267 Year- 2014 Thana -BISFI District- MADHUBANI

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1. Umesh Yadav, Son of Bachhe Lal Yadav, resident of Village- Bhaduli (Parkhauli), P.S.- Arer, district- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. Anjeera Devi wife of Umesh Yadav, resident of Village- Bhaduli (Parkhauli), P.S.- Arer, district- Madhubani. at present Anjeera Devi, D/o Sri Lal Babu Yadav, resident of Village- Kerwar, P.S.- Bisfi (Patauna O.P.), District- Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate

For the Opposite Party/s : Mr. P.K.Jha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 19-05-2016 Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 341, 323, 504, 307, 120B of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basis accusation is of torture for non-fulfillment of dowry demand. It is also alleged that petitioner injected H.I.V. infected blood to the informant.

It is submitted by learned counsel for the petitioner that petitioner admits the marriage with the informant and he is ready to keep the informant as wife

with full dignity and honour. Statement to that effect has been made in para- 9 of the petition which reads as follows:-

“That the petitioner is ready to keep the informant (O.P.-2) with full dignity and honour.”

It is submitted by the learned counsel for the informant that informant is ready to accept the offer of the petitioner and is ready to accompany the husband from the Court itself.

It is submitted by the learned counsel for the petitioner that petitioner is also ready to take the informant to matrimonial house from the Court himself.

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 his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M., Ist Class, Madhubani in connection with Bisfi (Patauna O.P.) P.S. Case No. 267 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed within one year by the learned court below on substantial restoration of the matrimonial harmony.

It is requested by the learned counsel
for the petitioner that informant will withdraw the subsequent
case lodged by her being Bisfi (Patauna) P.S. Case No. 74 of
2015.

(Dinesh Kumar Singh, J)

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