

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54276 of 2016

Arising Out of PS.Case No. -758 Year- 2013 Thana -GAYA COMPLAINT CASE District- GAYA

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1. Upendra Kumar @ Upendra Yadav Son of Umesh Yadav Resident of
Village- Kurmawan, tola- Baharadih, Police Station- Barachatti, District-
Gaya Petitioner

Versus

1. The State of Bihar.
2. Rupri Devi Daughter of Jodhan yadav Resident of Village - Bhalwa
Bangla, Police Station- Barachatti, District- Gaya Opposite Parties

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Appearance :

For the Petitioner : Mr. Nikhilesh Kumar, Adv.

For the Opposite Parties : Mr. Humayou Ahmad Khan, APP 155

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

2 13-01-2017 Heard the learned counsel for the petitioner and the
State.

This is a petition for grant of regular bail for offence
under Section 498A of the Indian Penal Code.

The petitioner is husband of complainant, Rupri Devi.

It appears that this Court had granted provisional
anticipatory bail to the petitioner with certain conditions and the
confirmation of the provisional anticipatory bail was referred in
Cr. Misc. No. 37787 of 2015 on 27.08.2015. The petitioner did
not comply the condition, hence, bail bond was cancelled and the
petitioner is in custody.

Prayer for regular bail has been refused by the
learned Sessions Judge.

Submission of the petitioner is that the petitioner
would once again take necessary step for conciliation of the
matter.

Considering the undertaking of the petitioner, above
named, he is directed to be released on **provisional bail** on
furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two



sureties of the like amount each in connection with **Complaint Case No. 758 of 2013** to the satisfaction of **Sri Gorakh Nath Dubey, Judicial Magistrate, 1st Class, Sherghati Gaya**, or successor Court with the condition that the petitioner shall take all efforts for amicable settlement, either restoration of matrimonial life or one time settlement with the complainant. The petitioner shall make himself present on each and every date, unless there is some exceptional excuse for the absence of the petitioner, till conclusion of the settlement.

The Court below shall notice to the complainant for such settlement and if the complainant would not cooperate the provisional bail may be confirmed by the Court below.

(Birendra Kumar, J)

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