

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65108 of 2018

Arising Out of PS. Case No.-82 Year-2016 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

=====

Sujeet Yadav S/o Sri Binde Yadav@ Vindeshwar Yadav R/o Village Basaith,
P.S. Benipatti, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar. null null
2. Geeta Devi W/o Sujeet Yadav R/o Village- Basaith, P.S. Benipatti, District- Madhubani.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. Md. Nazir Ansari

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2018

Heard learned counsels for the parties.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under sections 323 and 498A of the IPC.

The prosecution case as per the complaint petition is that the marriage of the complainant with the petitioner was performed on 11.3.2012. Thereafter, the complainant spent happy married life for two and half year and thereafter further dowry demand of Rupees Sixty Thousand or a motorcycle and due to non-fulfillment of the same, torture was inflicted upon the complainant. Ultimately, in 2016, on the day of



Basantpanchmi, after snatching the complainant's jewellery, she was driven out of the matrimonial house. It is further alleged that the petitioner made attempt to perform second marriage.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and is ready to keep her as wife with full dignity and honour. Statement to that effect has been made in paragraph 6 of the petition which reads as follows:

“That the petitioner is still ready to keep his wife with all respect and dignity. He has not ousted her from his house nor torture her.”

Considering the present stand of the petitioner, let the petitioner above named be released on provisional anticipatory bail for four months in the event of arrest or surrender within six weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Benapatti in connection with C.R. No. 82 of 2016 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. On her appearance, the petitioner will take the complainant 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 complainant fails to appear before the learned court below, or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

