

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18140 of 2019**

Arising Out of PS. Case No.-59 Year-2018 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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VIJAY YADAV @ VIJAY KUMAR YADAV Son of Shiv Ram Yadav
Resident of Village - Kataiya, P.S.- Basopatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Neelam Devi Wife of Vijay Yadav Resident of Village - kataiya, P.S.- Basopatti, Distt.- Madhubani, at present Neelam Devi D/o Ram Narayan Yadav, Resident of Village - Umgaow, P.S.- Harlakhi, Distt.- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav
For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-04-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.59 of 2018 , registered for offences punishable under Sections 323, 498(A), 379 of the Indian Penal Code.

Allegation against the petitioner is of ousting the informant out of his house with respect to demand of dowry and also marrying with another lady.

Submission of the learned counsel for the petitioner is that the marriage was solemnized 13 years ago and now she is not residing making allegation that he had married with another girl but that is false and concocted, he is still ready to keep her.



Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that as he had married with another lady, it is not possible for O.P.no.2 to live with the petitioner. .

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Benipatti, Madhubani in connection with Complain Case No.59 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure, with further condition that if any maintenance case is filed by the O.P.no.2 the petitioner has to co-operate in disposal of the case otherwise O.P.no.2 is at liberty to move for cancellation of his bail bond before the learned lower court itself. .

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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