

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63688 of 2018

Arising Out of PS. Case No.-102 Year-2017 Thana- MAHILA P.S. District- Saharsa

Bijay Yadav @ Bijay Kumar, son of Late Anirudh Yadav, resident of Village-
Jikha, Police Station- Sour Bazar, District- Saharsa.

... .. Petitioner/s

Versus

1. State of Bihar
2. Kiran Devi, W/o Bijay Yadav @ Bijay Kumar, Daughter of Jai Prakash Yadav @ Jai Jai Ram Yadav, resident of Village- Barsam, Police Station- Basnahi, District- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Smt. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 27-06-2019 This is an application for grant of anticipatory bail in connection with Saharsa Mahila P.S. Case No. 102 of 2017 disclosing offences under Sections 498A, 323, 504, 506, 34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Case is under Section 498A of IPC. Allegation of demand of Rs.1,00,000/- and one motorcycle, due to non-fulfillment, assaulted the informant and ousted from the house. Further allegation of assault by the accused persons including the petitioner.

Submission of the learned counsel for the petitioner is that he is still ready to keep her with dignity and care. He has also filed a case under Section 9 of the Hindu Marriage Act for restitution of conjugal rights.



Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also, who has submitted that she is also ready to reside with the petitioner. It has also appeared that on appearance of opposite party no.2, the matter was referred to the Patna High Court Mediation & Reconciliation Center, but the report of mediator shows that they have not appeared before the mediation center.

Having heard both sides, considering the above stated facts and circumstances, let the petitioner surrender before the court below on 09.07.2019, on which date, the opposite party no.2 shall also appear before the court below and the petitioner shall also file an affidavit that he is ready to keep her with dignity and care and also ready to take her from the court itself, then the petitioner shall be released on provisional bail for a period of six months and also direct that he shall appear in the first week of each month and the court below after seeing the conduct of both the parties, the order may be passed either confirming the bail bonds or any other order which may fit and proper and cancelling the bail of the petitioner.

Accordingly, this application is disposed of.

Sunil Shukla/-

(Vinod Kumar Sinha, J)

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