

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73590 of 2018

Arising Out of PS. Case No.-47 Year-2018 Thana- MAHILA P.S District- Supaul *

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Anil Yadav Son of Kishundhan Yadav, Resident of Village- Baliyaspatti, P.S.-
Supaul, District- Supaul.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Sangita Devi, D/o Manoj Yadav, Wife of Anil Yadav, Resident of Village-
Baliyaspatti, Ward No.9, P.S.- Supaul, District- Supaul.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhim Kumar Yadav, Adv.

For the Opposite Party/s : Sri Anil Kumar Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

- 3 28-02-2019 Heard learned counsels for the petitioner, informant and
learned APP for the State.

The petitioner, being the husband of the informant, is
apprehending arrest in a case registered for the offences
punishable under Sections 498A,494, 341,323,504 and 506/34
of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report submitted by Sangeeta Devi to the Station House Officer,
Supaul (Mahila) Police Station is to the effect that the
informant was married with the petitioner, Anil Yadav five years
prior to lodging of the present case. Subsequently, three female
children born out of the wedlock. Thereafter further dowry



demand of Rupees One Lac was made, but due to non-fulfillment of the same, torture was inflicted upon the informant. It is alleged that on 08.04.2018, the accused persons, including the petitioner, made an attempt to take the life of the informant and ultimately she was driven out from the matrimonial house.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and birth of three children out of the wedlock. It is further submitted that though the petitioner has performed second marriage with some other lady, but he is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in paragraph no.8 of the petition, which reads as under :-

“8. he is ready to keep her wife/informant with full dignity and honour.”

Learned counsel for the informant submits that despite of the fact that the petitioner has performed second marriage, the informant accepts the offer of the petitioner.

Both sides agree to appear before the learned Court below on 11.03.2019 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory



bail for six months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Supaul, in connection with Supaul Mahila P.S. Case No.47 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored, or (ii) if the informant fails to appear before the learned Court below, or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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