

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48356 of 2019

Arising Out of PS. Case No.-1861 Year-2018 Thana- COMPLAINT CASE District- Jamui

BAUDHU YADAV Son of Gurudev Yadav Resident of Village - Mandara,
P.S.- Barhar, District- Jamui

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rubi Devi Wife of Baudhu Yadav and D/O - Shankar Yadav Resident of
Village - Mandara, P.S.- Barhat, District- Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Raj

For the Opposite Party/s : Mr. Ajay Kumar Tiwari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 01-10-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No.1861C of 2018 registered under Section 498A, 323, 504/34 of the Indian Penal Code and under Sections 3/4 of Dowry Prohibition Act.

The learned counsel for the petitioner submits that the petitioner is the husband of the complainant. The complainant is in the habit of filing frivolous case. She earlier filed Complaint Case No.1651 of 2018 on 25.09.2018. She filed the present complaint case making same and similar allegation. Petitioner is ready to keep his wife with all honour and dignity.

Learned counsel for the O.P. No.2-wife submits that wife is also willing to restore conjugal relation provided her husband undertakes to keep her with all honour and dignity.

Taking into consideration the fact that both husband and wife are willing to restore their conjugal relations, let the



petitioner, above named, is directed to surrender before the court below within a period of four weeks from the date of receipt of this order and on such, learned court below shall enlarge the petitioner on provisional bail for four months on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri M.K.Pandey, Ld. J.M.1st Class, Jamui in connection with Complaint Case No.1861C of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Thereafter, the learned court below shall make efforts for resolution of the disputes between husband and wife. If the petitioner keeps his wife properly, learned court below shall confirm the provisional bail granted to the petitioner and if the petitioner fails to keep his wife with all honour and dignity without the fault of the wife, learned court below shall pass order on provisional bail of the petitioner in accordance with law immediately after lapse of four months.

(Prabhat Kumar Jha, J)

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