

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51288 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- CHIRAIYA District- East Champaran

SURENDRA YADAV @ SURENDRA RAI @ SURENDRA PRASAD Son
of Late Suraj Rai Resident of Village - Mohadipur, P.S. - Chiraiya, District-
East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Asha Devi Wife of Surendra Yadav @ Surendra Rai @ Surendra Prasad,
D/O - Harendra Rai Resident of Village - Mohadipur, P.S.- Chiraiya,
District- East Champaran. Presently Resident of Village - Jhajhara, P.S. -
Jitna, District- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-08-2019 This application, for grant of anticipatory bail, arises
out of Chiraiya P.S. Case No. 52 of 2019, disclosing offences
under Sections 341, 323, 498-A/34 of the Indian Penal Code.

Petitioner happens to be husband of the informant and
allegation against him of subjecting the informant to cruelty and
torture. It is further alleged that on 03.02.2019, while the
informant was going to sleep, all the accused persons came and
sprinkled K. oil on her body and petitioner tried to set her on
fire. Later on accused persons ousted her from the house.

Submission of learned counsel for the petitioner is
that the marriage was solemnized 10-11 years ago and no such



allegation has ever been made. In fact the informant herself does not want to live with the petitioner and due to which, she has filed the present false case. Further submission is that the petitioner is still ready to keep the informant -wife with full honour and dignity.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is disposed of with direction to the petitioner to surrender before the court below by 26.08.2019, on which, the court below shall release him on provisional bail and will issue notice to informant and try to find, if there is chance of settlement of dispute between the parties and considering the same, he will pass an appropriate order either confirming or cancelling the provisional bail of the petitioner.

(Vinod Kumar Sinha, J)

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