

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61737 of 2019

Arising Out of PS. Case No.-54 Year-2018 Thana- MAHILA P.S. District- Saharsa

=====

VIJAY YADAV Son of Parmeshwari Yadav Resident of Village-Baluwaha,
P.O-Simraha, P.S. and District-Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anju Devi W/O Vijay Yadav at present residign at Vilalge Padampur P.O.
Khadipur P.S. Bihra District Saharsa.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 12-12-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Saharsa (Mahila) P.S.case No.54 of 2018 , registered for offences punishable under Sections 498A, 323, 504, 506/34 of the Indian Penal Code and Section 3/4 of the D.P.Act.

As per FIR, there is allegation against the petitioner, who happens to be husband of the informant of demand of one motorcycle and golden chain and for non-fulfillment of that ousted the informant from the house.

Submission of the learned counsel for the petitioner is that the allegation is false and concocted and he is still ready to keep her with dignity and care.

On the other hand the learned counsel for the O.P.No.2



has also submitted that she is ready to reside with the petitioner if she is allowed to live with the dignity and care.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender on 10.1.2020 before the learned court below and on that day O.P.no.2 shall also remain present in the court below and on appearance of both the parties and on filing of the affidavit by the petitioner that he will take her from the court below itself and will keep her with dignity and care, the petitioner shall be released on provisional bail for a period of six months and during that period, both the parties have to appear before the learned court below in the third week of each month so that the learned court below may watch the conduct and matrimonial relationship between the parties and once being satisfied with the conduct of both the parties and their matrimonial relationship especially the conduct of the petitioner, the bail bond of the petitioner shall be confirmed; otherwise the learned court below is free to pass any other order or orders as he deems fit and proper including cancelling the bail bond of the petitioner.

It is needless to say that if O.P.no.2 is not ready to reside with the petitioner, the petitioner shall be released on bail to the



satisfaction of the learned court below.

With the above direction, this application is disposed
of.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

