

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73356 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- RAJNAGAR District- Madhubani

SANTOSH YADAV @ SANTOSH KUMAR YADAV Son of Agam Lal Yadav Resident of Village- Pilakhwar, Police Station- Rajnagar, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranju Devi Daughter of Dukhi Yadav Resident of Village- Muraith, Police Station- Arer, District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prabhakar Thakur
For the Opposite Party/s	:	Mr. Amit Kumar Rakesh
For O.P. No.2	:	Mr. Dharendra Kr. Jha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-11-2019 Petitioner seeks bail in anticipation of his arrest in connection with Rajnagar P.S. Case No. 34 of 2019 registered for the offences punishable under Sections 323, 341, 379, 498A, 313 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

As per FIR there is allegation that petitioner demanded dowry and for that he tortured the informant and there is also allegation that he performed second marriage with another lady and the case is found true under Sections 498A/34 and 3/4 of Dowry Prohibition Act and not under Section 494 IPC.

Submission of learned counsel for the petitioner is that whole allegation is false and concocted and he is still ready to keep her with dignity and care. On the other hand, learned counsel for opposite party No.2 has opposed the prayer on the ground that



petitioner has solemnized second marriage and they have a child out of their wedlock also.

Heard learned APP also.

In view of above facts and circumstances, this application is disposed of with direction to the petitioner to surrender in the court below on 5.12.2019, on that day opposite party No.2 shall also remain present in court. On filing an affidavit by the petitioner that he is ready to keep her with dignity and care and will take her from the court itself and on that petitioner shall be released on provisional bail for a period of six months by the court below and during that period the court below shall watch conduct and marital status of both the parties by calling them in every month and once the court is satisfied with the same, specially the conduct of the petitioner, his bail bonds shall be confirmed by the court below, otherwise the court is free to pass any other order(s) as it may deem fit and proper, including cancellation of bail bonds of the petitioner.

(Vinod Kumar Sinha, J)

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