

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.63792 of 2018**

Arising Out of PS. Case No.-164 Year-2017 Thana- GAYA COMPLAINT CASE District-  
Gaya

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Sudama Yadav @ Sudama Kumar S/o Ramshran Yadav, resident of Village-  
Macharak, P.S.- Fatehpur, District- Gaya.

... .. Petitioner

Versus

1. The State Of Bihar
2. Rekha Devi, W/o Sudama Yadav @ Sudama Kumar, D/o Mohan Yadav,  
Resident of Dhanchhu Manjhala, P.S.- Fatehpur, District- Gaya.

... .. Opposite Parties

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**Appearance :**

|                           |   |                               |
|---------------------------|---|-------------------------------|
| For the Petitioner        | : | Mrs. Lilawati Singh, Advocate |
| For the State             | : | APP                           |
| For Opposite Party No. 2: | : | None                          |

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

4      14-02-2019                      Heard learned counsel for the petitioner and learned APP  
for the State.

2. The petitioner apprehends his arrest for the offences  
alleged under Sections 498A, 323 and 379 of the Indian Penal Code  
and Section 3/4 of the Dowry Prohibition Act registered in  
connection with Complaint Case No. 164 of 2017.

3. It is submitted that the petitioner has been falsely  
implicated and in any event, the petitioner has expressed his  
readiness to keep his wife with due dignity and honour. The  
petitioner claims clean antecedents.

4. Despite learned counsel for the opposite party no. 2  
having entered appearance, none is present on her behalf when the  
matter is called today.

5. Be that as it may, in the event of the petitioner's arrest  
or surrender before the court below within six weeks from the date of  
communication of this order, let the above named petitioner be  
released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Gaya in connection with Complaint Case No. 164 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

BT/Chandran

**(Vikash Jain, J)**

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