

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1237 of 2020

Arising Out of PS. Case No.-88 Year-2019 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

=====

SANTOSH YADAV Son of Gagdish Yadav Resident of Village-Bishun
Purwa, P.S-Piprasi, District-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Badami Devi Wife of Santosh Yadav Resident of Village-Bishun purwa,
P.S.-Piprasi, District-West Champaran. At present address-Badami Devi (F),
aged about 30 years D/o Bishuni Yadav, R/o-village-Vagainapur, P.O-
Madhubani, P.S-Dhanaha, District-West Champaran.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.Suresh Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-01-2020 Petitioner seeks bail in anticipation of his arrest in

connection with Trial No. 4031 of 2019, arising out of

Complaint Case No. 88 of 2019 in which cognizance has

been taken under Section 498A of the Indian Penal Code.

Petitioner happens to be husband of the
complainant and there was demand of Rs.1 lac and for non-
fulfilment of the same complainant-opposite party No.2,
wife was subjected to cruelty and she was ousted from the
house.

Submission of learned counsel for the petitioner is
that marriage was solemnized in the year 2003 and during



long 16 years there was no complaint and thereafter the present case has been filed and the allegation is false and concocted and he is still ready to keep her with dignity and care, which stand he has taken in the court below 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 10.2.2020 and on surrender, on filing of an affidavit that he is ready to keep her, he shall be released on provisional bail to the satisfaction of the court below and in the meantime the court shall issue notice to the complainant-opposite party No.2 and once she appears and shows her inclination to reside with the petitioner and petitioner is ready to keep her, the provisional bail shall be extended for a further period of six months and during that period both the parties have to appear in the court below in third week of every month, so that the court may watch their conduct and once the court is satisfied with conduct of both the parties, specially the conduct of the petitioner, the court below shall confirmed the provisional bail, 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.

It is made clear that on appearance if opposite party No.2 appears and opposes the prayer for bail making serious allegation against the petitioner, the court below is free to cancel the bail bonds of the petitioner considering the nature of the allegation.

(Vinod Kumar Sinha, J)

spal/-

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

