

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73822 of 2019

Arising Out of PS. Case No.-1611 Year-2016 Thana- COMPLAINT CASE District- Jamui

Mukesh Yadav Son of Apesar Yadav, Resident of Asarhua, P.S.- Charkapather,
District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soniya Devi D/o Churaman Yadav, W/o Mukesh Yadav Resident of Loha,
P.S.- Sono, District- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satya Prakash Parasar, Advocate
For the State	:	Mrs.Madhuri Lata, APP
For the O.P.No.2	:	Mr. Pankaj Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 28-08-2020 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the O.P. No.2.

In this case, the petitioner is seeking anticipatory
bail in connection with Complaint Case No.1611C/2016,
registered for the offence punishable under Section 498 A of the
Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

The matter relates to dispute between the husband
and the wife.

Counsel for the petitioner submits that the matter
has been settled and the opposite party no.2 is residing with
him, whereas, counsel for the opposite party no.2 submits that
he has no instruction in that regard. If the statement of the
petitioner is correct, in such circumstances, he should keep his



wife in a proper manner with full dignity and honour and there should not be any torture in any manner being physical or mental.

Looking to the entire facts and circumstances of the case, let the petitioner, above-named, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of eight weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Jamui in connection with Complaint Case No. 1611 C/2016, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with a further condition that he will not torture his wife in any manner either physically or mentally. If the opposite party no.2 files a complaint against the petitioner, then the court below would verify the fact and if it is found that the complaint is true then the court below can cancel his bail bond.

(Shivaji Pandey, J)

V.K.Pandey/-

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