

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73978 of 2019**

Arising Out of PS. Case No.-240 Year-2017 Thana- JEHANABAD COMPLAINT CASE  
District- Jehanabad

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RAKESH YADAV Son of Radhe Yadav Resident of Village - Amain Tola  
Mathiapar, P.S.- Paras Bigha, District - Jehanabad.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Usha Devi Wife of Rakesh Yadav Village - Amain Tola, Mathiapar, P.S.-  
Parasbigha, District - Jehanabad.

... .. Opposite Party/s

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**Appearance :**

|                          |   |                        |
|--------------------------|---|------------------------|
| For the Petitioner/s     | : | Mr.Arvind Prasad Singh |
| For the Opposite Party/s | : | Mr.Meena Singh         |
| For the informant        | : | Mr. Mahbool Ashraf,    |

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA**

ORAL ORDER

3      06-03-2020                      Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State assisted by  
learned counsel for the informant.

Petitioner apprehends his arrest in connection with  
Complaint Case No. 240/2017 registered for the offences  
punishable under Sections 498A, 323 and 504 of the Indian Penal  
Code.

Petitioner happens to be husband of the opposite party  
No. 2 and only general allegation of torture as well as demand of  
dowry has been levelled against him. However, in course of  
hearing, learned counsel appearing for opposite party No. 2  
submits that the petitioner has already solemnized his second  
marriage but there is nothing on the record to fortify the above



stated submissions.

Learned counsel appearing for petitioner submits that petitioner is still ready to keep the opposite party No. 2 with full honour and dignity but it is opposite party No. 2, who does not want to lead her conjugal life with the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in Complaint Case No. 240/17 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

**(Hemant Kumar Srivastava, J)**

Spd/-

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