

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2520 of 2020**

Arising Out of PS. Case No.-728 Year-2013 Thana- MUNGER COMPLAINT CASE
District- Munger

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Golu Yadav @ Goly Yadav Son of Jago Yadav Resident of Village - Sangrampur, Post office - Sangrampur, Police Station - Sangrampur, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Devi wife of Golu Yadav , Daughter of Adhik Lal Yadav Resident of Village and Post office and Police Station - Sangrampur, District- Munger and at present residing at Village - Patghaghar, Post Office- Khapra, Police Station- Tetia Bambar, District - Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surya Narayan Sah
For the Opposite Party/s : Mr.Indu Kumari Srivastava

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 24-01-2020 This is an application for grant of anticipatory bail in connection with Complaint Case No. 728-C of 2013, disclosing offences under Sections 323, 504, 498A, 494 of the Indian Penal Code and Section 3/4 of D.P. Act.

Petitioner happens to be the husband of the complainant and there is allegation of demand of Rs.90,000/- for constructing Latrine and installing Hand Pump and also demanded Rs. 1, 00,000/- for constructing house and also a motorcycle and for that, subjecting her to cruelty and harassment. It is also alleged that he has performed second marriage with Puja Kumari, d/o Pappu Yadav, R/o Village Nakti,



District Banka.

Submission of learned counsel for the petitioner is that the case u/s 494 of IPC was not found true and allegation is false and concocted. He is still ready to keep her with dignity and care.

Heard learned APP also.

Having heard both sides, in view of the submissions made above, this application is disposed of with a direction to the petitioner, above named, to surrender before the learned court below on 10.02.2020, on surrender, and on filing of an affidavit that he is ready to keep her, he will be released on provisional bail to the satisfaction of the learned court below. During that period, the court below shall issue a notice to the opposite party no.2 and on her appearance and shows her desire to reside with the petitioner, the petitioner has to keep her with dignity and care and take her from the court itself and on that, the provisional bail granted to the petitioner shall be extended for further a period of six months. During that period, both the parties shall appear before the learned court below in the third week of each month, so that the court below shall watch the marital relationship and conduct of both the parties. Once being satisfied with the conduct of both the parties, especially, the



conduct of the petitioner, the court below shall confirm the bail bonds of the petitioner, otherwise, he is free to pass any other order or orders, which may deem fit and proper, including cancelling the bail bonds of the petitioner.

It is also made clear that after appearance of the opposite party no.2, if she shows any document in support of second marriage of the petitioner, the provisional bail granted to the petitioner shall be cancelled.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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