

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6582 of 2020

In
CRIMINAL MISCELLANEOUS No.51826 of 2019

Arising Out of PS. Case No.-1286 Year-2017 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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VINAY KUMAR YADAV, Son of Harendra Rai Resident of Village -
Bhagwanpur Simra, P.S. - Paroo, District -Muzaffarpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sanju Devi, W/O Vinay Kumar Yadav Resident of Village - Bhagwanpur Simra, P.S. - Paroo, District -Muzaffarpur. At Present D/O Mahadeo Rai, Resident of Village-Bhuwalpur @ Bahadurpur, P.S. - Goraul, District - Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh
For the Opposite Party/s : Mr.Amarendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 18-01-2021 Heard the learned counsel for the parties.

This is an application seeking modification of the order dated 04.11.2019 passed in Cr. Misc. No. 51826 of 2019 by Hon'ble Mr. Justice Vinod Kumar Sinha (as he then was), whereby the petitioner was granted anticipatory bail subject to the condition that he along with Opposite Party No. 2 would appear before the Court with an undertaking to keep Opposite Party No. 2 with dignity and care and which offer shall be accepted



by Opposite Party No. 2.

The learned counsel for the petitioner has submitted that on two occasions, the petitioner appeared before the court below in the expectation that Opposite Party No. 2 shall also appear but because of her non-appearance, the order which is sought to be modified could not be executed / implemented.

The learned counsel for the parties, however, has stated before this Court that they are ready to reside together under the same roof as man and wife and a request has therefore been made on behalf of the petitioner for extending the period of time for the petitioner to surrender before the court below to take advantage of the order dated 04.11.2019.

Regard being had to the submissions advanced on behalf of the parties, the order dated 04.11.2019 is modified to the extent that if the petitioner appears before the court below within a period of eight weeks from today along with Opposite Party No. 2 and gives an



undertaking that the Opposite Party No. 2 shall be kept in the matrimonial home with due regard and dignity, he will be released on bail, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., West, Muzaffarpur, in connection with Complaint Case No. 1286 of 2017, corresponding to Tr. No. 4106 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed to the extent indicated above.

(Ashutosh Kumar, J)

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