

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20273 of 2020

Arising Out of PS. Case No.-188 Year-2018 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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DOMU YADAV Son of Suraj Yadav Resident of Village - Taralahi, P.S.-
Bahadurpur, District - Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rekha Devi Wife of Domu Yadav Present resident of C/o Bhagirath Yadav,
Village - Mustafapur, P.S.- Bisanpur, District - Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP
For the O.P. No. 2	:	Mr. Jagannath Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 15-01-2021 Heard Mr. Vinay Kumar Mishra, learned
counsel for the petitioner and Mr. Jagannath Singh for
the opposite party no. 2. The State is represented by Mr.
Md. Aslam Ansari, learned APP.

The petitioner seeks bail in anticipation of his
arrest in connection with Complaint Case No. 188 of
2018 (Trial No. 3577 of 2019) dated 26.02.2018 in
which cognizance has been taken under Section 498A of
the Indian Penal Code.

On behalf of the petitioner, at the outset, it
has been submitted that he is ready for restitution of
conjugal relationship with opposite party no. 2.

Learned counsel for opposite party no. 2,



however, has submitted that she also would have no objection provided she is given due respect as the legally wedded wife of the petitioner. He has also informed this Court that on an earlier occasion, on the assurance of the petitioner of treating the opposite party no. 2 properly, she went to her matrimonial home only to be ousted within a very short span of time.

However, today the learned counsel for the parties are agreeable that another try should be given to the restitution of conjugal relationship between the parties. An application for maintenance also has been filed by opposite party no. 2 before the concerned court.

Considering the aforesaid stand of the parties, this Court is inclined to grant bail/confirm the provisional bail of the petitioner but with certain condition.

The petitioner shall bring the opposite party no. 2 to his house and would afford proper treatment as a legally wedded wife is expected to be given. In case the opposite party no. 2 is not afforded good treatment, it would be open for her to file an application for cancellation of the anticipatory bail of the petitioner.

The provisional bail of the petitioner is confirmed. The petitioner shall remain on the same bail bonds.



With the aforesaid observations the petition
stands allowed.

(Ashutosh Kumar, J)

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