

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7130 of 2021**

Arising Out of PS. Case No.-323 Year-2019 Thana- GAYA COMPLAINT CASE District-
Gaya

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Vishwanath Yadav @ Vishwanath Kr Yadav @ Bishwanath Kumar S/O
Ramchandra Yadav Resident of Village- Itra, P.S.- Magadh University, Bodh
Gaya, Distt- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Baby Devi Ramotar Yadav Resident Of Village Itra Police Station Magadh
University Bodh Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-12-2021 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 498(A), 379, 504 of the Indian Penal Code.



The petitioner is husband of the complainant/O.P. No. 2.

The basic accusation is of torture for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that complainant herself deserted the petitioner since 2008 and thereafter she came in contact with a criminal gang. The complainant was arrested in connection with Belaganj P.S. Case No. 57 of 2012 for the offences under Sections 395, 412 of the Indian Penal Code in which charges have also been framed against the complainant. The petitioner, however, is still ready to keep the complainant as wife with full dignity and honour.

Considering the fact that the complainant herself deserted the petitioner in the year 2008 and since then they are living separately, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks



from today, be released on anticipatory bail on
furnishing bail bonds of Rs. 10,000/-(Ten Thousands)
with two sureties of the like amount each to the
satisfaction of learned Chief Judicial Magistrate, Gaya in
connection with Complaint Case No. 323 of 2019,
subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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