

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70945 of 2019

Arising Out of PS. Case No.-293 Year-2018 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Bijay Yadav @ Vijay Yadav, Son of Ganesh Yadav Resident of Village -
Khajuri , P.S.- Saur Bazar, Distt.- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rani Devi W/o Bijay Yadav @ Vijay Yadav, D/o Jai Prakash Yadav Resident
of Village - Digghi, P.S.- Murliganj, Distt.- Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Umesh Chandra Verma, Advocate
For the State	:	Mr. Md. Shakir Ahmad, APP
For Opp. Party No. 2	:	Mr. Binod Kr. Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 01-11-2021 A supplementary affidavit has been filed on behalf of
the petitioner. Let it be kept on record.

Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no.2.

The petitioner seeks anticipatory bail in connection
with Complaint Case No. 293 of 2018 registered for the
offences under Sections 323, 498A, 504, 506 and 354 of the
Indian Penal Code.

Pursuant to the order dated 18.12.2019, notice was
issued to opposite party no.2, who has appeared and filed her
Vakalatnama.



Specific statement has been made in paragraph 2 of the supplementary affidavit to the effect that the petitioner is ready to keep the opposite party no.2 with full honour and dignity.

In such view of the matter, the petitioner is directed to visit his Sasural and take opposite party no.2 with him before 07.11.2021 and thereafter both the parties will file an application in the Court below that they have amicably settled their disputes and they are staying together. The petitioner will also provide a separate mobile phone and number to opposite party no.2 from which she can talk to her parents as and when she desires.

On filing of the aforesaid application by both the parties in the Court below, the Court below will release the petitioner on provisional bail for a period of three months on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Saharsa, in connection with Complaint Case No. 293 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

After completion of three months, both the parties



will again appear before the learned Court below. The Court below will verify the conduct of both the parties and thereafter take a decision either to confirm the provisional bail or to cancel the same in the facts of the case.

Till filling of the application by both the parties in the Court below, the interim protection granted to the petitioner vide order dated 18.12.2019 shall continue to operate.

Learned Principal Judge, Family Court, Saharsa shall decide the maintenance case bearing Maintenance Case No. 27 of 2018 within a period of three months without giving unnecessary adjournments and if the petitioner does not cooperate then the Principal Judge shall proceed to pass order of maintenance ex parte.

With the aforesaid observations and directions, this bail petition is allowed.

(Sandeep Kumar, J)

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