

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3759 of 2022

Arising Out of PS. Case No.-2081 Year-2018 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Ashok Yadav, aged about 52 years, Male Son of Chandrika Yadav, Resident of Village - Badkagaon, Tiwari Tola, P.S.- Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Devi, aged about 23 years, Wife of Hareram Yadav and Daughter of Puja Yadav, Resident of Village - Badkagaon, Tiwari Tola, P.S.- Gopalganj, District- Gopalganj at present residing at Village Goddha, P.O.- Madhopur, District- Kushinagar (Uttar Pradesh).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha-1, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-06-2022 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

Let the defect(s), if any, as pointed out by the office
be removed within a period of four weeks from today.

The petitioner seeks bail in connection with
Complaint Case No. 2081 of 2018 registered for the offences
punishable under Section 498A of the Indian Penal Code.

The allegation against the petitioner, who is father-in-
law of the complainant, is that of torture and cruelty in
matrimonial home.

It has been submitted by learned counsel for the



petitioner that the complaint has been filed after 14 years of marriage and the petitioner has been living separately from the husband of the complainant. There is only general and omnibus allegations and the husband has been allowed the privilege of anticipatory bail, whereas the petitioner, the father-in-law, has been in custody since 04.10.2021.

Learned counsel for the informant has very fairly conceded that the husband has been granted privilege of anticipatory bail and the petitioner is the father-in-law, though he has submitted that the petitioner is instrumental in all things stated in the complaint.

Having regard to the submissions made hereinabove, considering the fact that the petitioner is the father-in-law and there is general allegations only against him and he is in custody for about 8 months, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XVI, Gopalganj in connection with Complaint Case No. 2081 of 2018, subject to the following conditions:

(i) One of the bailors will be a close relative of the petitioner, preferably one of his parents.



(ii) The petitioner will remain present on each and every date fixed by the court below and not delay the trial. In case of absence for three consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the Court concerned.

(iii) The petitioner will not indulge in similar or in any other offence.

(Arun Kumar Jha, J)

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