

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26120 of 2022

Arising Out of PS. Case No.-32 Year-2017 Thana- MAHILA P.S. District- Madhubani

Vinod Yadav Son of Bilat Yadav Resident of Village - Madhepura, P.S.-
Pandaul, Distt.- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-08-2022 Heard learned counsel for the petitioner and
learned APP for the State.

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

The case is registered under sections 323, 341,
379, 498(A), 504, 34 of the Indian Penal Code in connection
with Madhubani Mahila P.S. Case No. 32 of 2022.

The allegation in the FIR is that the petitioner,
who is husband of the informant was regularly assaulted by
him and it is further alleged that only after she gave birth
two daughters, the petitioner and his family members
increased their torture against her. She lastly submits that on
the fateful day, she was beaten by the petitioner herein and
his family members and ousted from the house. She further



submits that a 'Panchayat' was organized but the petitioner refused to keep her with demand that unless motorcycle is presented to him, he will not keep the informant.

Learned counsel for the petitioner submits that without going into the merit or the allegation in the case, being a dutiful husband, he wants to deposit Rs. 50,000/- each in the form of 'Fixed Deposit Scheme' for a period of two years in the name of the two daughters to be issued by the local State Bank of India branch which shall be submitted before the trial Court to be handed over to the guardian of two daughters, the informant namely, Bauwa Dai Devi after verifying her identity through government documents (Voter ID and Aadhar Card etc.).

So far as the case in hand is concerned, the counsel for the petitioner submits that he wants to keep his wife along with both the children with full dignity and honour and a chance must be given to him to reform himself so that the couple may lead a happy conjugal life.

Taking into account the aforesaid undertaking given by the counsel for the petitioner as also the fact that he is in custody since 15.2.2022 (as stated in para-7 of the bail application) and the charge-sheet stands submitted, this



Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned S.D.J.M., Madhubani, in connection with Madhubani Mahila P.S. Case No. 32 of 2017 subject to the deposit of Rs. 50,000/- each in the form of 'Fixed Deposit Scheme' (for two years period) in the name of two daughters of the couple to be submitted before the trial court which in turn will be handed over to the informant after verifying her credential with the following further conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.



With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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