

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21390 of 2024

Arising Out of PS. Case No.-7 Year-2019 Thana- MAHILA P.S. District- Nawada

BHOLA YADAV @ KRISHNA YADAV Son of Sri Saukhi Yadav Resident of
Village-Bhanail, P.S.-Akbarpur, District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. GAYATRI DEVI Wife of Bhola Yadav @ Krishna Yadav, D/o Late Binda Yadav At present residing at Mohalla-Mangar Bigha, P.S.-Town (Nawada), District-Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rajeev Nayan
For the Opposite Party/s :	Mr.Mukesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

- 3 01-07-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Mahila P.S. Case No. 07 of 2019 for the offences punishable under Sections 341, 323, 498(A), 308/34 of the Indian Penal Code but cognizance has been taken only under Sections 323, 341, 498(A), 34 of the Indian Penal Code.

3. It is a case of matrimonial dispute. The petitioner was granted anticipatory bail vide order dated 26.09.2019 in Criminal Miscellaneous No. 845 of 2019, on the assurance that he shall keep the victim with full dignity and honour.

4. The learned counsel for the petitioner has submitted



that it is true that he assured the Court to keep the victim with full dignity and honour but thereafter, the relationships became strained and it became impossible for the petitioner to reside with his wife. He has further submitted that the petitioner has already suffered an incarceration of more than nine months. He has also submitted that though there is allegation against the accused persons of pouring kerosene oil on the person of the victim but any kind of injury was not found on the person of the victim. He has also submitted that the petitioner is ready to deposit Rs. 50,000/- in the name of the informant at the time of release in compliance of the order of the Principal Judge, Family Court.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that even the order of the Principal Judge, Family Court granting the interim maintenance of 5,000/- per month is disobeyed by the petitioner and he refrained from paying the interim maintenance, to which the learned counsel for the petitioner submits that after release, the petitioner shall make payment of the entire arrears amount.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on



bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned SDJM, Nawada in connection with Mahila P.S. Case No. 07 of 2019, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) The petitioner shall adhere to his words.

(Nawneet Kumar Pandey, J)

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