

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65676 of 2023

Arising Out of PS. Case No.-19 Year-2021 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

Devendra Yadav S/O Lakshman Yadav R/O Village- Tarapatti, P.S-
Andhrathadhi, Distt.- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dropadi Devi W/O Devendra Yadav, D/O Ajbi Yadav R/O Village-
Madanpatti, P.S- Rudrapur, Distt.- Madhubani. Presently Residing At
Village- Thathari, P.O- Jarsain, P.S- Rudrapur, Distt.- Madhubani, Pin Code-
847411.
3. Innar Yadav S/O Late Sagam Lal Yadav Residing At Village- Thathari, P.O-
Jarsain, P.S- Rudrapur, Distt.- Madhubani, Pin Code- 847411.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 14-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 498(A) of the IPC and $\frac{3}{4}$, of the Dowry Prohibition
Act.

3. The learned counsel for the petitioner submits that
an application of jointness has been filed as the notice on behalf
of the O.P. No.2 was received by her brother.

4. In view of the submission made by the learned



counsel for the petitioner the notices is deemed to have been validly served.

5. The learned counsel for the petitioner next submits that petitioner being husband has been falsely implicated in the present case. It is also submitted that that petitioner was always willing to keep the O.P. No.2 with honour and dignity, but then O.P. No.2 never intended to stay with the petitioner as she was in love with one Innar Yadav with whom she fled. It is also submitted a specific statement with regard to the same has been pleaded at para-10 of the anticipatory bail application. It is next submitted that O.P. No.2 is presently staying with Innar Yadav, as such despite receiving notices chooses not to appear and contest.

6. The learned APP opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class,



Jhanjharpur, Madhubani in connection with Complaint Case No.19 of 2021, T.R. No.1386 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. However, it is made clear that O.P. No.2 shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner in the event if it is found that anticipatory bail has been obtained by the petitioner by misleading the Court.

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

U		T	
---	--	---	--

