

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67186 of 2024

Arising Out of PS. Case No.-383 Year-2022 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Sudarshan Yadav @ Sudarshan Kumar Son of Late Lalbahadur Yadav
Resident of Village - Darweshpur, P.S. - Arwal, District - Arwal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Geeta Devi Wife of Sudarshan Yadav, Daughter of Suryanand Yadav
Resident of Village - Darweshpur, P.S. - Arwal, District - Arwal. At present
residing at Village - Khankulipur, P.O. - Sarvan, P.S. - Arwal, District -
Arwal

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramchandra Singh, Advocate
For the State	:	Mr. Binod Kumar No.3, APP
For the O.P. No.2	:	Mr. Uday Narayan Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 16-12-2024 Mr. Ramchandra Singh, learned counsel for the

Petitioner, Mr. Uday Narayan Singh, learned counsel for the

O.P. No.2 and Mr. Binod Kumar No.3, learned APP for the State

are present and they are heard.

2. After some arguments, learned counsel appearing
for the petitioner submits that the petitioner is ready to keep his
wife (O.P. No.2) in his company with full dignity and he will
take O.P. No.2 from the house of her parents on 16.01.2025 on
this condition if no misbehave would be committed with him
when he would visit the parental house of the O.P. No.2.

3. On the other hand, learned counsel appearing for the



O.P. No.2 submits that O.P. No.2 is also ready to lead a conjugal relationship with the petitioner as their marriage took place several years ago and there are four children from their wedlock and he undertakes that no misbehave will be committed with the petitioner when he will visit the parental house of the O.P. No.2 on 16.01.2025 but the petitioner should be granted Provisional Bail and his conduct may be kept under watch for some period.

4. Having considered the above submissions, this Court is inclined to grant the relief of **Provisional Anticipatory Bail to the petitioner for a period of six months**. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail for the aforesaid period on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Complaint Case No. 383/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further on the following conditions:-

(i) The petitioner will bring the O.P. No.2 back at his house and will start a conjugal relationship with him as per his undertaking and after the reunion of both the spouses, the



learned trial court will keep a watch upon the conduct of the petitioner for six month, if petitioner's conduct is found to be satisfactory with the O.P. No.2 during the said period of Provisional Bail and no any complaint is made by O.P. No.2 against him or O.P. No.2 herself leaves the company of the petitioner without any reason then in the presence of either of these circumstances, the learned trial court will confirm the Provisional Bail on the same bail bond and surety taken under this order.

(ii) If the petitioner does not bring the O.P. No.2 form her parental house as per his above undertaking or oust her from his house or commits ill treatment or cruelty with the O.P. No.2 during the Provisional Bail period then in the presence of any of these circumstances, the learned trial court shall take serious action against the petitioner by cancelling his bail bond and the privilege granted by this order shall stand vacated automatically.

5. Accordingly, with the aforesaid directions, the instant Criminal Miscellaneous Petition stands disposed of.

(Shailendra Singh, J)

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