

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 43543 of 2025

Arising Out of PS. Case No.-66 Year-2024 Thana- MAHILA P.S. District- Bhojpur

Harendra Yadav S/o Shyambabu Yadav @ Shyam Babu Ray R/o Village-
Ratanpur, P.S.- Ara Muffasil, District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manju Devi D/o Yogendra Yadav R/o Village- Ganghar, P.S.- Ara Muffasil,
District- Bhojpur
3. Anju Devi D/o Yogendra Yadav R/o Village- Ganghar, P.S.- Ara Muffasil,
District- Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s Diwakar, Deekpak Kr, Poriya Kri, Advocates
For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR JUSTICE ANIL KUMAR SINHA

ORAL ORDER

5 04-12-2025 Petitioner is the husband of Opposite Party No 3,

Opposite Party No 2 is the sister-in-law of the petitioner and is
married to the elder brother of the petitioner, namely, Upendra
Yadav. Both petitioner as well as brother Upendra Yadav have
been made accused in Ara Mahila PS Case No 66 of 2024
registered for the offence punishable under Sections 341, 323,
498A/34 of the Indian Penal Code and Sections 3/4 of the Dowry
Prohibition Act. Petitioner herein is seeking anticipatory bail.

2 Both Opposite Parties No 2 and 3 are married to the
petitioner as well as his elder brother Upendra Yadav. The
marriage was solemnized with two sisters, i e, Opposite Parties



No 2 and 3 with two brothers, i e, petitioner and his elder brother on 12.05.2021.

3 The allegation in the First Information Report is of mental as well as physical torture due to non-fulfillment of demand of dowry. Pursuant to order dated 26.11.2025, both petitioner as well as Opposite Parties No 2 and 3 are present in person along with their family members. The elder brother of the petitioner is not present as he is not the party in the present bail application. However, learned counsel for the petitioner submits that his bail application has been dismissed by the District Court and he is planning to file an application before this Court for anticipatory bail.

4 During the negotiation before this Court for exploring the possibility of amicable settlement between the husbands and their wives, the petitioner and his father, namely, Shyambabu Yadav @ Shyam Babu Ray, who are present in the Chambers, jointly submit that they are ready and willing to keep both the sisters married to both the brothers in their matrimonial home peacefully and amicably with care, dignity and affection. The father of petitioner and Upendra Yadav categorically states that he will visit the parental home of Opposite Parties No 2 and 3 on 08.12.2025 at about 10 am and bring them back and shall



keep both the sisters, i e, Opposite Parties No 2 and 3 in their matrimonial home with their respective husbands in his joint house.

5 Learned counsel for Opposite Parties No 2 and 3 agrees to the proposal made by the petitioner and his father and submits that Opposite Parties No 2 and 3 are ready to accompany their father-in-law for living together in their matrimonial home with their husbands. However, Opposite Parties No 2 and 3 have raised their apprehension that they may be tortured again by the petitioner, his elder brother and father-in-law upon which petitioner and his father undertook to keep both the sisters with love, care and dignity. Father of the petitioner also undertakes that Opposite Parties No 2 and 3 shall not be tortured mentally as well as physically by the petitioner and his elder brother including the mother-in-law. Further, Opposite Parties 2 and 3 requested this Court to direct the police authority to have a watch over the conduct of the petitioner, his brother Upendra Yadav and family members for sometime till the matter is settled finally. Both the sisters have also submitted that their family members including their brothers can visit them while both are residing in their matrimonial home and they should also be permitted by the petitioner, his elder brother and



family members to visit their parental home with the children of Opposite Party No 2 occasionally. The petitioner and his brother should allow Opposite Parties No 2 and 3 to visit their paternal home occasionally as and when desired and shall not prevent them to contact their parents, brothers through mobile phone.

6 Considering the aforesaid undertaking and submissions made by the parties and in order to bring peace in the family, this Court consider it expedient to grant provisional anticipatory bail to the petitioner with the condition that the petitioner, his elder brother and his father shall visit the parental home of Opposite Parties No 2 and 3 on 08.12.2025 at 10 am and shall bring back Opposite Parties No 2 and 3, namely, Manju Devi and Anju Deviu to their matrimonial home who will live together with their husbands in the joint family house. Opposite Parties No 2 and 3 shall fully cooperate with her father-in-law and their respective husbands while living in the matrimonial home giving respect, care and proper behaviour towards their husbands and family members including their father-in-law and mother-in-law. Petitioner, his brother and their other family members shall not torture, in any manner, to Opposite Parties No 2 and 3 and shall allow them to reside in



the matrimonial home with dignity.

7 The Superintendent of Police, Bhojpur at Ara is directed to depute an officer of the rank of Sub Inspector to visit the matrimonial home of Opposite Parties No 2 and 3 in every fortnight for six months and shall submit the report before the Sub Divisional Judicial Magistrate, Bhojpur at Ara.

8 On the above conditions, the petitioner above named is directed to be enlarged on provisional anticipatory bail for a period of six months on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Bhojpur at Ara in Ara Mahila Police Station Case No 66 of 2024 dated 06.08.2024 subject to all conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

9 On the basis of joint petition filed by both the husbands and their wives before the Sub Divisional Judicial Magistrate, Bhojpur at Ara, duly signed by them, the provisional anticipatory bail shall be confirmed after six months by the Sub Divisional Judicial Magistrate himself/herself.

(Anil Kumar Sinha, J)

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