

Birendra Yadav Vs. the State of Bihar

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Court : Patna

Decided On : May-24-2012

Appellant : Birendra Yadav

Respondent : The State of Bihar

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.34020 of 2011 Birendra Yadav Versus The State Of Bihar & anr. ----- 4/ 24.1.2012 The petitioner and O.P. No. 2 are present in person. The petitioner being the husband, is apprehending arrest in a case registered under sections 341, 323, 379 and 498A of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act. Though the petitioner ready to keep the O.P. No. 2 as his wife with full dignity and honour but he admits that he has already married some one else also. In the circumstances, the petitioner is ready to pay Rs.1500/- per month to the O.P. No. 2 from April, 2012 by depositing the same in the bank account of the O.P. No. 2 by second week of every month. The opposite party no. 2 is present and accepts the offer of the petitioner and undertakes to supply her bank account number to the petitioner within a period of two weeks by filing the same through affidavit before the learned court below. The aforesaid payment will be subject to any order being passed in the matrimonial or maintenance proceeding. Considering the aforesaid stand of the petitioner, let the above named petitioner be released on bail in the event of arrest or surrender before the learned court below within a 2 period of twelve weeks from today, on furnishing the bail bond of Rs.10000/(ten thousand) with two sureties of the like

amount each to the satisfaction of C.J.M. Aurangabad in Rafiganj P.S. Case no. 105 of 2011 subject to the conditions as laid down under section 438(2) of the Cr.P.C. Three consecutive defaults in making payment by the petitioner will give liberty to the complainant to file an application for cancellation of the bail of the petitioner. Anil/ (Dinesh Kumar Singh, J.)

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