

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 18187 of 2020**

Arising Out of PS. Case No.-1861 Year-2018 Thana- COMPLAINT CASE District- Jamui

BAUDHU YADAV Son of Gurudeo Yadav Resident of Village-Bhandra, P.S.-
Barhat, District-Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Devi Daughter of Shankar Yadav Resident of Village-Bhandra, P.O.-
Pando, P.S.-Barhat, District-Jamui, At present Village-Belatand, P.S.-
Laxmipur, District-Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Mukul Jee, Advocate
For the Opposite Party/s	:	Mr Navin Kumar Pandey, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 31-08-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in Complaint Case No 1861C of 2018 instituted for the offence punishable under Section (s) 498A, 323, 504/34 of Indian Penal Code.



Petitioner is husband of the complainant. It is submitted by petitioner's counsel that in view of the order passed by this Court on the anticipatory bail application bearing Cr Misc No 48356 of 2019, petitioner made efforts to resolve the issue with his wife while he was on provisional bail, but the efforts failed due to the hostile attitude of the complainant and her family members. Petitioner had also made a complaint in this regard before the Court below on 09.12.2009 (Annexure 3 of the instant application). He further submits that the maintenance case has also been lodged against the petitioner. Petitioner's counsel submits that, to establish his bona fide, the petitioner, without prejudice to his rights to contest the maintenance case, for the present, would be remitting an amount of Rs 5,000/- per month to the complainant so as to support the complainant and the daughter born out of the wedlock, and submit proof of such remittance in the Court below in the first week of each month.

In view of the said submission, this Court would direct that the petitioner be released on provisional bail subject to deposit of the amount of Rs 5,000/- as per submission of petitioner's counsel.

The Court below shall monitor this position for six



months and pass appropriate orders exercising judicial
discretion in this matter in accordance with law.

This application stands disposed of.

(Madhuresh Prasad, J)

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