

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17565 of 2015

Arising Out of PS.Case No. -1596 Year- 2012 Thana -SARAN COMPLAINT CASE District-
SARAN

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Shashi Sharma, son of Balram Sharma

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Srivastva, Advocate

For the Opposite Party/s : Mr. R.S.Choudhary (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 3 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfillment of the dowry demand.

On instruction, learned counsel for the petitioner submits that the petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 9 of the petition which reads as follows:-

"9. That the petitioner is still ready to keep her with dignity and honour..."

Though, similar was the stand of the petitioner before

the learned court below but the complainant failed to appear before the learned court below and filed Matrimonial Suit No. 442 of 2014 before the Principal Judge, Family Court, Chapra for divorce.

Considering the fact that the complainant failed to appear before the learned court below in spite of notices being issued and has filed matrimonial suit for divorce, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Saran at Chapra, in connection with Complaint Case No. 1596 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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