

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25973 of 2011

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1. Jitendra Sharma S/O Asharfi Sharma Resident Of Village- Dhenuki, P.S.- Marhowrah, District- Saran	 Petitioner
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Versus

1. The State Of Bihar
2. Sabita Devi W/O Jitendra Sharma, D/O Basudeo Sharma Resident Of
Village- Sisawa, P.S.- Nagra, District- Saran

.... Opposite Party

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Appearance :

For the Petitioner	: Mr. Chandra Shekhar Singh, Adv.
For the Opposite Party	: Mr. Nawal Kishore Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

8 20-01-2015

Heard learned counsel for the appellant and the
State.

This is a petition for grant of anticipatory bail for
offence under Sections 498A and 323 of the Penal Code.

There is allegation of demand and subjecting
cruelty. However, notice issued to the complainant-wife, but, she
has not appeared.

The learned counsel for the petitioner submits that
the complainant has performed second marriage and living
separately.

Hence, having regard to the facts and
circumstances of the case, the petitioner, above named, in the
event of his arrest or surrender, within four weeks from the date of
receipt of this order, is directed to be released on anticipatory bail
on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with
two sureties of the like amount each in connection with
Complaint Case No. 1687 of 2006 (Tr. No. 2087 of 2010) to the
satisfaction of the **Sub Divisional Judicial Magistrate, Chapra**,
subject to the condition laid down in Section 438(2) of the
Criminal Procedure Code subject to the condition that the

petitioner shall appear in Court on each and every date, fixed in the case and any absence, on two consecutive dates, without any reasonable ground to the satisfaction of the Court below, shall be a ground of cancellation of bail of the petitioner by the lower Court itself and the trial Court is directed to proceed with the trial on day-to-day basis.

(Gopal Prasad, J)

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