

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43086 of 2014

Arising Out of PS.Case No. -396 Year- 2013 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Krishna Sharma son of Lalan Sharma resident of vill. Below P.S. Below
Dist. Kaimur

.... Petitioner/s

Versus

1. State of Bihar.

2. Paramsheela Devi wife of Krishan Sharma D/o Ramraj Sharma

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Manish Kr. 2(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

7 29-07-2015

Heard learned counsel for the petitioner, learned
counsel for the State as well as learned counsel for the O.P. No. 2.

The petitioner seeks anticipatory bail in connection
with Complaint Case No. 396 of 2013 for the offences punishable
under Section 498A of the Indian Penal Code and Section 4 of the
Dowry Prohibition Act.

In pursuance to the order dated 22.07.2015 the
petitioner husband appeared in person. But the counsel for the
O.P. No. 2 submits that there was a notice that the Court will be
closed after lunch he then advised his client not to come.
However, the said reference for the day after lunch has been
cancelled i.e. why the matter is being heard.

The allegation in the complaint case by the complainant is that she was married in the year 2011 and went to her in-laws house who started demanding dowry and torturing her. Eventually, on 18.08.2012 she was thrown out from the matrimonial house.

The counsel for the O.P. No. 2 informs that the complainant is ready to stay with the petitioner but on questions being asked from the petitioner, he flatly refused to keep the O.P. No. 2 with him.

Under such circumstances, the petitioner is directed to pay Rs. 1500/- per month in the Court of Sub- Divisional Judicial Magistrate, Rohtas in Complaint Case No. 396 of 2013. The Court will ensure that the said payment be handed over to the O.P. No. 2.

Considering the facts and circumstances of the case, in the event of arrest or surrender before the Court below within four weeks from today, the petitioner be enlarged on bail upon furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Sasaram, Rohtas in Complaint Case No. 396 of 2013 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

If the said amount of Rs. 1500/- per month is not paid by

the petitioner on the date and time so fixed by the learned Sub-Divisional Judicial Magistrate, Sasaram at Rohtas, this order of anticipatory bail will be deemed to be in-operative.

(Nilu Agrawal, J)

Prakash/-

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