

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32969 of 2015

Arising Out of PS.Case No. -1166 Year- 2011 Thana -PATNA COMPLAINT CASE District-
PATNA

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Rupesh Raj Son of Late Ajay Kumar Sharma, Resident of Village -
Katahara, Maner, P.S. - Maner, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Susmita Bharti @ Alka, D/o Shri Kuldeep Mehta, R/o Bari Badalpura,
P.S. - Khagaul, At present C/o the house of Shiv Balak Mahto North
Mandiri, P.S. Budha Colony, District - Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anupam Sinha

For the Opposite Party/s : Mr. Sanjay Kr.Sharma(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 30-09-2015 Heard learned counsel for the petitioner and learned
counsel for the opposite party no. 2.

The petitioner apprehends his arrest in connection with
Complaint Case No. 1166 (C) of 2011 registered for the offences
punishable under Section 498A the Indian Penal Code.

The petitioner and the Opposite Party No. 2 are present
in Court today. The mother of the opposite party no. 2, namely,
Shusma Mehta @ Prem Shusma is also present in Court.

We have gone into depth of the entire dispute, involved
between the parties.

After considering the entire facts and circumstances,
this Court has come to the conclusion that though the girl is
willing to go and live with her husband but she puts a condition

that her husband may construct a house and live away from her mother-in-law. Though, the petitioner expresses his inability to comply with the above-said terms and condition at the present moment but he is agreeable to obey the same, provided he may be given some time for the same. When the question is put before the petitioner as to how much time is required him to construct a house, he replies that presently, his financial position is not so strong for constructing the house but in due course, he could consider the idea.

Considering the positive attitude of the petitioner and also the fact that, at the present reconciliation between the parties is a matter of further negotiation, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of two weeks from the date of receipt/production of a copy of this order, is/are directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Patna in connection with Complaint Case No. 1166 (c) of 2011, subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

(Anjana Mishra, J)

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