

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43830 of 2014

Arising Out of PS.Case No. -1205 Year- 2012 Thana -MUNGER COMPLAINT CASE District-
MUNGER

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Kanwar Lal @ Karan Sharma S/O Late Ashok Sharma Resident of Kali
Asthan, Bariyarpur, Police Station- Bariyarpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar
2. Kumari Jyoti Shikha D/O Anil Pd. Sharma, W/O Kanwar Lal @ Karan
Sharma At present residing Madhopur, near Gangotri Vivah Sthal, P.S.-
Basudeopur, District- Munger.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Anil Prasad Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

05/ 06-07-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case wherein
processes have been directed to be issued after cognizance being
taken for the offences punishable under Section 498A of the
Indian Penal Code.

The basic accusation is of torture.

Notices were issued to the complainant-opposite
party no. 2 vide order dated 16.12.2014 on submission of learned
counsel for the petitioner that the petitioner is ready to keep the

complainant as wife with full dignity and honour. Statement to that effect has been made in para 11 of the petition, which reads as follows:- **“That the petitioner is still ready to keep the complainant with full dignity as wife but she is not ready to live with the petitioner and only extort money and harass the petitioner she contest the case.”** .

The complainant is not ready to accept the offer of the petitioner as she has apprehension that the petitioner has performed second marriage. She only claims that the maintenance amount should be paid to her as awarded by the learned court below in Maintenance Case No. 366 of 2013.

Considering the rival submissions of the parties, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Munger in connection with Complaint Case No. 1205C of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bond of the petitioner will be accepted on submitting an affidavit to the effect that the petitioner has made

payment of the up-to-date maintenance amount as directed in the
maintenance proceeding.

(Dinesh Kumar Singh, J)

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