

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19782 of 2014

Arising Out of PS.Case No. -2316 Year- 2012 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Sanjay Sharma S/o Late Shambhu Sharma Resident of Mohalla Naya Tola,
Ward No. 34, P.S. Katihar, District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Devi w/o Sanjay Sharma, d/o Mantu Sarkar r/m – Durgapur
(Dr. Nilima Roy lane) Binodpur, P.s. – Katihar Town, Distt – Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

6 05-08-2016 Heard both sides.

The petitioner apprehends his arrest in Katihar Complaint Case No. 2316/2012 registered for the offence under Section 498A of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

The petitioner was earlier granted provisional bail on his undertaking that he would explore the possibility of settlement with the complainant vide order dated 15.05.2014. The petitioner was also directed to pay a sum of Rs. 750/- per month to his wife.

Learned counsel for the petitioner submits that the petitioner is ready to compromise the case and he is paying Rs.

750/- per month to his wife.

Learned counsel for the complainant however opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner has already solemnized second marriage, but this fact has been denied by the petitioner.

Considering the facts that the petitioner is on provisional bail for more than two years, the bail petition of the petitioner is disposed of with a direction that the petitioner shall remain on provision bail for six months from today with a direction to the trial court to make all efforts for resolution of the disputes between the husband and the wife and if the dispute is resolved within six months learned court below shall pass order for confirmation of provisional bail of the petitioner.

If the dispute is not resolved between the husband and wife within six months, learned court below shall pass order on merits of the provisional bail of the petitioner immediately after expiry of six months.

(Prabhat Kumar Jha, J.)

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