

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16001 of 2017

Arising Out of PS.Case No. -311 Year- 2016 Thana -BUXAR COMPLAINT CASE District-
BUXAR

=====

1. Lal Bahadur Sharma, son of Vijay Sharma, resident of village- Pithari,
P.S.- Rajpur, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Meena Devi, W/o Lal Bahadur Sharma, D/o Mohan Sharma, resident of
village- Pithari, P.S.- Rajpur, District- Buxar, At present of Village-
Kaithar Khurd, P.S.- Dhansoi, District- Buxar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Advocate

For the Opposite Party/s : Mr. Sri Mustaque Alam, APP
Mr. Arun Kumar Gupta, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 17-07-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Complaint
Case No.311-C of 2016 instituted for the offence under
Section(s) 498-A Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

Petitioner is husband of the complainant.

Complainant is present in the Court along with her
father.

Petitioner has stated that he is ready to keep the wife
with full care and dignity. He has further submitted to take the
wife for one month. He will not misbehave with her.



Wife is not ready to go with the husband. It is said that she has been tortured earlier by the husband. Father of the wife has also stated that if she is not ready to go, he cannot pressurize her.

Considering the fact that the wife does not want to live with husband, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Complaint Case No.311-C of 2016, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.



The wife is at liberty to file appropriate application before the appropriate Court for grant of maintenance.

If such an application has already been filed, the Court concerned will dispose of the aforesaid petition expeditiously.

(Sanjay Priya, J)

JA/-

U		T	
---	--	---	--

