

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16600 of 2017

Arising Out of PS.Case No. -1030 Year- 2016 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Binay Sharma Son of Late Narayan Prasad Sharma, Resident of Village-
Dinasah Lane Mundichak, P.S.- Tilkamanjhi, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ruhi Sharma Wife of Binay Sharma, D/o Vinod Sharma, Resident of
Dinasah Lane, Mundichak, P.S.- Tilkmanjhi, District- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. B.P. Pandey, Sr. Adv.

For the Opposite Party No.1 : Mr. S. Enteshamuddin, APP

For the Informant- Opp. Party No.2: Mr. Manoj Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-04-2017 Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 1030 of 2016, registered under Sections
498A, 377 I.P.C. and 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is that of dowry
demand and there was torture to his wife.

It has been submitted on behalf of the petitioner that he
is ready to keep the opposite party no.2 with honour and dignity if
she is agreed.

Heard learned Additional P.P. as also the learned
counsel appearing on behalf of the opposite party no.2 who has



opposed the prayer for anticipatory bail stating that considering the allegation the opposite party no.2 is not ready to live with the petitioner.

Considering the allegation made in the complaint petition, I am not inclined to grant anticipatory bail to the petitioner. The prayer for anticipatory bail is, accordingly, rejected.

However, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, which will be considered by the court below on its own merit without being prejudiced by the order of this Court.

It is also made clear that the learned trial court shall also see that if any chance of settlement between the parties, he shall pass an appropriate order in accordance with law.

(Vinod Kumar Sinha, J)

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