

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14518 of 2017

Arising Out of PS.Case No. -261 Year- 2016 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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1. Pawan Kumar Sharma, Son of Maheshwar Sharma, resident of village-
Chera Khera, P.S.-Alauli, District-Khagaria

.... Petitioner/s

Versus

1. The State of Bihar
2. Hira Devi, D/o Deo Narayan Sharma, resident of village-Bhadas, P.S.-
Muffasil, District-Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma, APP
Mr. Ravi S. Pankaj, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 21-09-2017

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Opposite Party No.2.

Petitioner apprehends his arrest in Complaint Case
No.261-C of 2016 instituted for the offence under Section(s) 498-
A Indian Penal Code and Section 34 of the Dowry Prohibition Act
pending in the Court of the Sub-Divisional Judicial Magistrate,
Khagaria.

Both husband and wife are present in Court. Wife is
ready to go with the husband, but the husband is not ready to
keep her. Husband wants one time settlement, but the wife is not
agreeable to the offer made by the husband.

From the Complaint Petition, it appears that



marriage took place in 2012. Prior to that, the Complainant got divorce from her earlier husband with mutual consent. Husband has grievance that this fact was not disclosed to her. Wife has, however, stated that marriage was performed after disclosing all the facts.

From the conduct of husband, it appears that neither he is ready to keep the wife nor inclined for one time settlement.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is rejected.

Petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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