

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13464 of 2017

Arising Out of PS.Case No. -38 Year- 2016 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

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Chandan Kumar, Son of Late Dhireshwar Sharma, resident of Village:-
Kadawa, P.S:- Nokha, District:- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Abha Rani, Wife of Satyendra Narayan Vishwakarma.
3. Shobha Kumari, D/o Satyendra Narayan Vishwakarma, Both residents
of Village: Nasriganj, P.S.: Nasriganj, District- Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Bhanu Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 28-06-2017 Heard the learned counsel for the petitioner, the

learned A.P.P. for the State as also the learned counsel for the

opposite party no.2.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Dehri Mahila P.S. Case
No. 38 of 2016 for the offences punishable under sections 498A,
504, 506 and 34 of the I.P.C and section 34 of the Dowry
Prohibition Act.

Allegedly, Shobha Kumari, the daughter of the
informant, was married to the petitioner on 19.04.2016 and
thereafter the petitioner and others started demanding four-wheeler



and cash of Rs. 2,00,000/- and due to non fulfillment started torturing her. The petitioner and Shobha Devi both are settled in job.

Submission is of false implication and that Shobha Devi has filed Complaint Case No. 239 of 2008 against her husband Ram Babu Sharma in the court of the Sub. Divisional Judicial Magistrate, Bikramganj, Rohtas, vide Annexure-2, there was no divorce between Shobha Devi and Ram Babu Sharma so the alleged marriage of Shobha Devi with the petitioner is null and void, the petitioner denies that marriage, the age of the petitioner is mentioned as 21 years, whereas, the age of Shobha Devi is mentioned as 25 years in the First Information Report and as such the petitioner deserves sympathetic consideration because the entire allegations are false and concocted.

The learned counsel for the opposite party no.2, on the other hand, submits that both parties have performed their marriage out of their own sweet will on 19.04.2016. There are photographs also in proof of that marriage and as such the petitioner does not deserve pre-arrest bail.

In the facts and circumstances as stated above, considering that Shobha Devi was married with Ram Babu Sharma and Shobha Devi has filed complaint case against him and



other in-laws, vide Complaint Case No. 239 of 2008, and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. A.C.J.M-III, Sasaram District-Rohtas in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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