

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20800 of 2017

Arising Out of PS.Case No. -83 Year- 2016 Thana -AURANGABAD COMPLAINT CASE District-
AURANGABAD

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Raju Sharma, Son of Ram Chandra Sharma, Resident of Village- Ganjpar,
P.S.- Nabinagar, District- Aurangabad.

.... Petitioner

Versus

1. The State of Bihar.
2. Brijbala Devi, Daughter of Subedar Sharma W/o Raju Sharma,
Resident of Majhiawan, P.S.- Nabinagar, District- Aurangabad.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sanjay Kumar and Pramendra Kumar
Singh, Advocates.

For the State : Mr. Akhileshwar Dayal, A.P.P.

For the O.P. No. 2 : Dr. Leelawati Kumari, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-07-2017 Heard learned counsels for the petitioner, complainant
and learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 83/2016 for the offences instituted under
Sections 498(A), 406 of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the complainant due to
non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering with the witnesses alleged against the petitioner. The
case is triable by the Magistrate. He has falsely been implicated in



the present case due to petty family dispute. The petitioner has further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

It is submitted on behalf of learned counsel for the complainant that the complainant is ready to go and reside at the native village of the petitioner. If the complainant goes to the village of the petitioner, the petitioner is ready to keep his wife with all dignity and honour.

On behalf of the learned counsel for the State, it has been submitted that there is no objection to the submissions made on behalf of learned counsels for the petitioner and the complainant.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 83/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Aurangabad, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

