

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.518 of 2017

Arising Out of PS. Case No.-105 Year-2015 Thana- MANIHARI District- Muzaffarpur

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Upendra Nath Sharma, S/o Late Rajdeo Narayan Sharma,, Resident of
Village- Purshottampur, P.S. Maniyari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Respondent/s : Mr. SRI KUMAR VIRENDRA NARAYAN

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-07-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor representing the State of Bihar.

The petitioner is aggrieved by an order, dated 10.04.2017,
passed, in Criminal Misc. No. 131 of 2015, by learned Sessions
Judge, Muzaffarpur, whereby and whereunder he has refused to
confirm the provisional anticipatory bail granted to the
petitioner.

The petitioner is accused in Maniyari Police Station Case
No. 105 of 2015, registered for the offence punishable under
Section 498A of the Indian Penal Code and Sections 3/4 of the
Dowry Prohibition Act. He is the father-in-law of the victim.

It has been submitted on behalf of the petitioner that
husband of the victim and other family members have been



allowed anticipatory bail. The petitioner has, however, been allowed provisional anticipatory bail for six months, which is being extended from time to time on the logic that he may get the matter resolved. He submits that the petitioner is ready to do what is best possible for resolution of the dispute between the parties. According to him, no purpose would be served by keeping on extending provisional anticipatory bail, from time to time. The petitioner was allowed provisional anticipatory bail on 25.05.2015.

I find substance in the submissions made on behalf of the petitioner. Since other persons, who have been made accused, including the husband of the victim, have been given the privilege of anticipatory bail, there is no reason why the same privilege could not be given to this petitioner.

Accordingly, the impugned order, dated 10.04.2017, is set aside. The provisional anticipatory bail granted to the petitioner, by order, dated 25.05.2015, by the learned Sessions Judge, Muzaffarpur, stands confirmed.

This application is allowed.

anand/-

(**Chakradhari Sharan Singh, J**)

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