

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68779 of 2018

Arising Out of PS. Case No.-1295 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Manish Sharma, S/o Sri Mukesh Sharma, R/o House No. 109, and House
No. 698, Kany Gyan Khaki, P.S.- Delhi Gate, P.O.- Ghauta Ghar, District-
Meerut (U.P.).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Divya Sharma, W/o Manish Sharma D/o Sri Surendra Kumar Shamra,
Resident of Near Punam Niwas, Adarsh Vihar Colony, Rukanpura, P.S.-
Rupashpur, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar
For the Opposite Party/s : Mr. Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioner, O.P. No. 2

and learned APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 498A & 323 of the Indian Penal Code.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfillment 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 of witnesses alleged against the petitioner. The
petitioner has falsely been implicated in the present case due to
petty family dispute. The case is triable by the Magistrate. The
petitioner has 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.

On behalf of the State and O.P. No. 2, it is submitted that
the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let
the petitioner, above named, in the event of arrest/surrender
before the learned court below within a period of six weeks
from today, be released on anticipatory bail on furnishing bail
bonds of Rs.10,000/- (Ten thousand) with two sureties of the
like amount each to the satisfaction of learned Sub Divisional
Judicial Magistrate, Danapur at Patna in connection with
Complaint Case No. 1295 of 2016, subject to the conditions as
laid down under Section 438(2) of the Code of Criminal
Procedure.

If so advised, either of the parties will be at liberty to
make an application before the Court below for referring the
matter to the District Mediation Centre for the purpose of
reconciliation or one time settlement.

(Sudhir Singh, J)

A.K.V.//-

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