

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13847 of 2019

Arising Out of PS. Case No.-480 Year-2017 Thana- SHEKHPURA COMPLAINT CASE
District- Sheikhpura *

Sanjay Kumar Son of Sachidanand Prasad Resident of Mohalla - Mirjapur
(Professor Colony), Nawada, P.S. and Distt - Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Priti Rani Gupta Wife of Sanjay Kumar, D/o Ramesh Prasad Resident of Mohalla - Katra Chowk (Gola Road), P.S. and Distt - Sheikhpura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh
For the Opposite Party/s : Mr. Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-03-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 480(C) of 2017, disclosing offences under Sections 498(A), 323 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Allegation against the petitioner is of subjecting opposite party no.2 with cruelty with respect to demand.

Submission of learned counsel for the petitioner is that he is always ready to keep the complainant, but she is not ready to live with the petitioner, which will appear from Annexure-3, during the reconciliation before the court below of Principal Judge, Sheikhpura, the complainant had flatly refused to live with the petitioner.

Heard learned A.P.P. as well as learned counsel for



opposite party no.2, they have opposed the prayer for anticipatory bail of the petitioner stating that the petitioner always subjected cruelty with the complainant, as such she does not live with him and if the petitioner is ready to keep her with full dignity and care, she will live along with him. Further, no maintenance case is filed by the opposite party no.2 up till now.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Seikhpura, in connection with Complaint Case No. 480(C) of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is further subject to the condition that if any case for maintenance is being filed by the opposite party no.2, the petitioner shall cooperate in disposal of the said maintenance case, otherwise the opposite party no.2 will be at liberty to move for cancellation of the bail bonds of the petitioner before the learned court below itself.

(Vinod Kumar Sinha, J)

Amjad/-

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