

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15074 of 2019

Arising Out of PS. Case No.-908 Year-2018 Thana- KATIHAR District- Katihar

Roshan Kumar Sharma, Son of Ashok Sharma Resident of Village - Naya Tola, Deharia, Ward No.-43, P.S. and District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anju Kumari D/O - Ram Sogarth Roy Resident of Village - Bishanpur, P.S.- Shahpur Patori, District - Samastipur
3. Sanjay Roy S/O not known to the petitioner Resident of Village - Pahadpur, Toi Sahadei Bujurg, District - Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bidhan Chandra Jha

For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 12-03-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of Katihar Town Police Station Case No. 908 of 2018, disclosing offences punishable under Sections 323, 354(A), 498(A)/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The petitioner is the husband of the informant. It is alleged in the First Information Report that the petitioner and the informant got married against the wishes of family members of the informant.

Learned counsel for the petitioner has submitted



referring to the First Information Report that there is no allegation of any cruelty against this petitioner though such allegation is there against his family members. On perusal of the First Information Report, I find this submission to be correct.

Considering the facts and circumstances, as noted above, 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. 10,000/-(ten thousand), with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Katihar Town Police Station Case No. 908 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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