

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22183 of 2019

Arising Out of PS. Case No.-92 Year-2018 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Shivsen Sharma, aged about 30 years, Male, Son of Banwari Sharma,
Resident of Village - Bazpur (Pakri Warama), P.S. - Pakari Warama, Distt -
Nawada.

... .. Petitioner

Versus

1. The State of Bihar
2. Sarita Devi, aged about 27 years, Female, Wife of Shivsen Sharma, D/o Late
Vijay Sharma, Resident of Village - Barpur (Pakari Barama), P.S.-
Pakaribarama, Distt - Nawada.
At present R/O Village - Daruara, P.O. Daruara, P.S.- Noorsarai, Distt -
Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Sujata Sinha
For the Opposite Party/s : Mr. Ajay Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 01-08-2019 Heard learned counsel for the petitioner, learned
counsel for O. P. No. 2 as well as learned Additional Public
Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Complaint Case No. 92C of 2018 registered for the offences
punishable under Sections 498A, 323, 341, 379, 494, 504 and
506/34 of the Indian Penal Code.

The allegation against the petitioner, as per the
complaint, is that the marriage of the petitioner was solemnized
with opposite party no. 2, namely, Sarita Devi on 19.06.2010 as



per Hindu customs. It has, further, been alleged that after the marriage, the petitioner along with other persons started demanding of Rs. 50,000 as dowry and due to non-fulfillment of the demand of dowry, they tortured the complainant mentally and physically and at last on 04.05.2017, they snatched the golden chain of the complainant and ousted her from the matrimonial home.

Learned counsel for the petitioner submits that the petitioner is husband of opposite party no. 2, namely, Sarita Devi and only general and omnibus allegation of demand of dowry has been levelled against him along with other family members. Learned counsel further submits that the petitioner is ready to keep his wife i.e. O. P. No. 2 (Sarita Devi) with full honour and dignity but the O. P. No. 2 (Sarita Devi) is not willing to live with the petitioner. He, further, submits that notice on O. P. No. 2 (Sarita Devi) was issued but she did not appear.

After having heard learned counsel for the petitioner and learned counsel appearing on behalf of the State as well as taking into consideration the fact that the allegation against the petitioner is only general and omnibus in nature and despite service of notice on O. P. No. 2 (Sarita Devi), she chose not to



appear before this court for any reconciliation, accordingly, I am inclined to grant anticipatory bail to the petitioner.

Let, the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sarif, Nalanda in connection with Complaint Case No. 92C of 2018 subject to the condition as laid down under Section 438(2) of Cr.P.C.

(Anil Kumar Sinha, J)

Rajeev Kumar/-

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