

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27105 of 2019

Arising Out of PS. Case No.-2451 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Dilip Sharma, Son of Parshuram Sharma, Resident of Village- Madhubani
Nuniya Tola, P.S.- Sangram Pur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Joyti Devi, Wife of Dilip Sharma, Daughter of Chandarkishore Tiwary,
Resident of Village- Tilkahani, P.S.- Ramgarhwa, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 22-11-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. C- 2451 of 2017

disclosing offences under Section 498A of IPC and Section 3/4

of Dowry Prohibition Act.

Case is under Section 498A of IPC. Petitioner
happens to be the husband of the complainant.

Earlier on appearance of the complainant, matter was
referred to the Patna High Court Mediation and Reconciliation
Center and the mediator's report is kept at flag "M" , which



disclosed that petitioner is ready to keep her along with the children with dignity and care and they agreed to proceed to her Sasural to live together, but due to the lapse of time further proceedings for amicable settlement could not be proceeded.

Submission of the learned counsel for the petitioner is that she is not ready to reside with him.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also, who has submitted that she has gone along with the petitioner, but she was again subjected to torture and assault after taking toddy and even no maintenance amount is being paid by the petitioner to her.

Having heard both sides, in view of the stand of both the parties and the facts, as stated above, if the petitioner is ready to pay Rs.3000/- per month to the opposite party no.2 for a period of one month. During that period, it is expected that the opposite party no.2 shall file a maintenance case before the Family Court for grant of maintenance, in which, on personal service of notice, petitioner has to appear and co-operate in disposal of the same, on that undertaking, the petitioner shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned S.D.J.M. Sadar, Motihari, East



Champaran, in connection with Complaint Case No.C-2451 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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