

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27448 of 2019

Arising Out of PS. Case No.-577 Year-2015 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Sanjay Sharma, Son of Ram Lakhan Sharma, Resident of Village - Phulkaha,
P.S.- Shyampur Bhathha, Dist.- Sheohar Bihar presently W.Z, 585, Narayana,
P.S.- Narayana, New Delhi 110028.

... .. Petitioner

Versus

1. The State of Bihar
2. Jyoti Kumari, Wife of Sanjay Sharma , D/o Gagandeo Sharma, Resident of
Village- Phulkaha P.S.- Shyampur Bhathha, Dist.- Sheohar at present
resident of Village - Ahiraulia, P.S.- Chakiya, Dist.- East Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Sheikh Arkan Ahmad, Advocate
For the Opposite Party : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

7 17-08-2019 Heard learned counsel for the petitioner.

In spite of valid service of notice, no one appears on
behalf of the opposite party no.2.

The petitioner seeks pre-arrest bail in connection with
Complaint Case No. C-577 of 2015 in which cognizance has
been taken for the offence punishable under Section 498A of the
Indian Penal Code as well as Sections 3 and 4 of the Dowry
Prohibition Act.

It is submitted by the learned counsel for the
petitioner that there is no truth behind the allegation that the
petitioner subjected the complainant to cruelty for demand of



dowry. The instant case has been instituted due to matrimonial discord and incompatibility.

Learned counsel for the State opposed the application for grant of bail to the petitioner.

Considering the nature of allegation and the facts and circumstances of the case as also the statement made in para 3 of the application that the petitioner has got no criminal antecedent, in the event of arrest or surrender in the court below within a period of six weeks, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Motihari in connection with Trial No.1330 of 2018 arising out of Complaint Case No.C-577 of 2015 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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