

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29953 of 2019

Arising Out of PS. Case No.-1146 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Anil Sharma, Aged about 34 years, Sex-Male, Son of Bhulan Sharma
Resident of Village- Parsanda Dumariya, P.S.- Sahodara, District- West
Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Nitu Devi, Sex-Female, Aged about 32 years, Wife of Anil Sharma,
Daughter of Yogendra Sharma, Resident of Village- Parsanda Dumariya,
P.S.- Sahodara, District- West Champaran. At present Mudli Katahari, P.S.-
Sathi, District- West Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr.Arbind Kumar Singh, Advocate
For the Opposite Party : Mr.Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 01-08-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 498A of the Indian Penal Code and Section
3/4 of the Dowry Prohibition Act registered in connection with
Complaint Case No. 1146 (C) of 2016.

3. It is submitted that the petitioner has been falsely
implicated and in any event, the disputes and differences between the
parties have since been amicably settled. The petitioner expresses his
readiness to keep the complainant with duty dignity and honour. The
petitioner claims clean antecedents.

4. Learned counsel for the opposite party no. 2 submits
that the disputes have been resolved and she is ready and willing to
accompany the petitioner for resuming matrimonial relationship.

5. Be that as it may, in the event of the petitioner's arrest



or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Complaint Case No. 1146 (C) of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

6. The provisional bail granted to the petitioner shall be confirmed if both the parties appear before the learned court below within a period of four weeks after surrender and furnishing bail bonds and upon their appearance, the petitioner shall take opposite party no. 2 along with him to the matrimonial home for restoration of harmonious matrimonial life, failing which his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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