

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80486 of 2018**

Arising Out of PS. Case No.-499 Year-2017 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Ravi Sharma @ Fago Sharma @ Fagu Sharma son of Umeshwar Sharma
Resident of Panchagalhiya Tipia Tola P.S. Bihara, Distt. Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Kiran Devi @ Kiran Sharma W/o Fago Sharma D/o Jugeshwar Sharma R/o Panchgachiya Tipia Tola P.S.- Bihara Dist.. Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Nityanand Tiwary

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 16-04-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 499(C) of 2017, disclosing offences under Section 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Allegation against the petitioner is of subjecting his wife to cruelty with respect to demand.

Submission of learned counsel for the petitioner is that the complainant was married with the another person and she has lodged this false case to extort money.

Heard learned A.P.P. as well as learned counsel for the complainant, they have opposed the prayer for anticipatory bail of the petitioner and submitted that in maintenance case, the petitioner was directed to pay Rs.3000/- per month to the opposite party no.2, but he



is not paying the maintenance.

Having heard both sides, in view of the facts and circumstances of the case, this application is disposed of with a direction to the petitioner to surrender before the court below within a period of six weeks from the date of receipt of the order with a bank draft of Rs.10,000/- drawn in favour of opposite party no.2 and also assure to pay the maintenance amount to the opposite party no.2 till then the same is revised or set-aside by any other court, the petitioner, above named, shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Saharsa, in connection with Complaint Case No. 499(C) of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

It is needless to say that the aforesaid will be subject to the result of revision application filed by the petitioner and if the petitioner failed to pay the maintenance amount for consecutively three months, then the opposite party no.2 shall be at liberty to move for cancellation of bail bonds of the petitioner.

(Vinod Kumar Sinha, J)

Amjad/-

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