

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39137 of 2019

Arising Out of PS. Case No.-649 Year-2006 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

=====

Sudarshan Sharma @ Pramod Kumar Rakesh, Son of Late Naresh Sharma,
Resident of Village- Jalpura, P.S. + District- Arwal (Bihar).

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sabita Devi, Wife of Shri Sudershan Sharma @ Pramod Kumar Rakesh,
Resident of Village- Jalpura, P.S. and District- Arwal (Bihar). At Present
village Mahavir, P.S. Daudnagar, District- Aurangabad (Bihar).

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh
For the Opposite Party/s : Mr.Veena Rani Prasad

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-08-2019 Heard learned counsel for the petitioner and learned

APP for the State

The petitioner, being the husband of the complainant,
has renewed the prayer for anticipatory bail in a complaint case,
wherein process has been directed to be issued after cognizance
being taken for the offences punishable under Sections 498A
and 323 of the Indian Penal Code.

The prosecution case got initiated on the complaint
filed by Sabita Devi to the effect that the marriage of the
complainant was performed with the petitioner about eight years
prior to the lodging of the complaint. Earlier the complainant
submitted a petition before the Arwal Police Station alleging



torture against her but the issue was resolved between the parties. Thereafter, the torture was further inflicted upon the complainant in various ways leading to filing of present complaint.

The petitioner earlier moved this Court for anticipatory bail vide Cr. Misc. No. 23322 of 2017 but the same was disposed of vide order dated 16.03.2018 since in a complaint of 2006 prayer for anticipatory bail was preferred in 2017. However, the learned Court below was given liberty to consider the prayer for regular bail without being prejudiced by the order of this Court in view of the order dated 2nd of April, 2014 passed in Maintenance Case No. 35 of 2013, whereby petitioner was directed to make payment of Rs.5,000/- per month as maintenance to the complainant and her daughter from the date of filing of the application.

It is submitted by learned counsel for the petitioner that the petitioner is ready to make payment of maintenance amount regularly.

In view of the fact that the complaint was filed in 2006, this Court is not inclined to reconsider the grant of anticipatory bail to the petitioner in connection with Complaint Case No. 649 of 2006, pending in the Court of learned Chief



Judicial Magistrate, Arwal.

However, let learned Court below consider the prayer for regular bail of the petitioner on payment of up-to-date maintenance amount to the complainant, if the petitioner surrenders before the learned Court below within a period of six weeks from today.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

