

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38949 of 2019**

Arising Out of PS. Case No.-939 Year-2017 Thana- COMPLAINT CASE
District- Banka

=====

VISHNU SHARMA S/O Late Arun Sharma Resident of Village- Kumardih,
Police Station- Dhoraiya, District- Banka.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Soni Devi W/O Vishnu Sharma, D/O of Ranjan Sharma Resident of
Village- Dhoraiya, Police Station- Dhoraiya, District- Banka.

... .. Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Ajay Mukherjee, Advocate.
For the State : Mr. Shailendra Kumar, APP
For the O.P. No. 2 : None

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

5 16-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 323, 498A, 379/34 of the Indian Penal
Code and Section 3/4 of Dowry Prohibition Act registered in
connection with Complaint Case Case No. 939 of 2017.

3. It is submitted that the petitioner has been falsely
implicated and this is the first complaint against the petitioner
since he was married to the complainant more than five years
ago. It is submitted that the petitioner expresses his readiness to
keep the complainant with due dignity and honour but she insists
that the petitioner shall live with her at her parental house to
which the petitioner is not agreeable. The petitioner claims clean
antecedents.

4. Pursuant to issuance of notice, appearance has been
entered on behalf of the complainant but none is present to



represent her when the matter is called today.

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 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, Banka in connection with Complaint Case No. 939 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following 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.

(Vikash Jain, J)

Ibrar//-

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

