

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39902 of 2019**

Arising Out of PS. Case No.-233 Year-2015 Thana- NAWADAH
COMPLAINT CASE District- Nawada

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ONKAR BHARTI Son of Late Rudal Bharti Resident of Village-
Bhamanbigha, P.S.- Barbigha, District- Sheikhpura.

... .. Petitioner

Versus

1. The State of Bihar
2. Priyanka Devi W/O Onkar Bharti, D/O Nepali Giri R/O Village- Parto
Karhari, P.S.- Akbarpur, Dist.- Nawada.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Jitendra Kumar Giri, Advocate.
For the State : Mr. Tapeswar Sharma, APP
For the Complainant : None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

8 20-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 498A of the Indian Penal Code registered
in connection with Complaint Case No. 233 of 2015.

3. It is submitted that the petitioner has been falsely
implicated and it is the complainant who has left the company of
the petitioner. It is submitted that the complainant has
remarried and she is now living at her matrimonial home. The
accusations of demand for dowry and inflicting torture are
denied. The petitioner claims clean antecedents.

4. None appears on behalf of the complainant when
the matter is called. Pursuant to order dated 24.09.2019, a
report dated 06.11.2019 has been received through the
Superintendent of Police, Nawada, *inter alia*, confirming the fact
that Priyanka Devi has solemnized marriage with one Makun Giri



and a daughter has been borne from that wedlock.

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 Chief Judicial Magistrate, Nawada in connection with Complaint Case No. 233 of 2015, 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)

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