

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45299 of 2019

Arising Out of PS. Case No.-249 Year-2018 Thana- KHARHAGPUR District- Munger

SATNARAYAN SHARMA @ SATNARAYAN VISHWAKARMA @ SATYANARAYAN SHARMA Son of Rajendra Sharma Resident of village-Tilkari, Police Station- Tetiyabamer, District- Munger.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nisha Kumari Wife of Satnarayan Sharma @ Satnarayan Vishwakarma @ Satyanarayan Sharma, D/O Sri Navin Prasad Sharm Resident of village-Tilkari, Police Station- Tetiyabamer, District- Munger. At present resident of Khaira, Police Station- Kharagpur, District- Munger.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpa Sinha
For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kharagpur P.S. Case No. 249 of 2018, disclosing offences under Sections 307, 323 and 498/34 of the Indian Penal Code.

The petitioner is the husband of the informant.

Learned counsel, appearing on behalf of the petitioner, has submitted that, though the petitioner is willing to keep the informant with full dignity, the informant is not willing to live with him. She contends that because of matrimonial dispute the present FIR has been registered on the basis of a complaint case.

From the order passed by the learned Sessions Judge-III, Munger, whereby the application for grant of anticipatory bail has been rejected, it appears that the informant had outright



refused to live with the petitioner with the allegation that she was brutally assaulted.

Be that as it may, considering the facts and circumstances of the case, this application is allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned SDJM, Munger in connection with Kharagpur P.S. Case No. 249 of 2018, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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