

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48555 of 2019**

Arising Out of PS. Case No.-1340 Year-2018 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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LAKSHMAN SHARMA @ LAKSHMAN KUMAR SHARMA Son of Janki
Sharma Resident of Village - Sirdala, P.S.- Sirdala, District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nilam Kumari Wife of Lakshman Sharma Resident of Village - Sirdala, P.S.-
Sirdala, District- Nawada, at present D/O - Umesh Mistry, residing at
Village - Paijana, P.S.- Akbarpur, District- Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Nayan
For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-09-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.1340 of 2018 registered for offences punishable under Sections 498(A), 406, 323, 506, of the Indian Penal Code.

As per the complaint petition, there is allegation against the petitioner, who happens to be husband, that with respect to demand of Rs.05 lac , one motorcycle and other articles, the complainant was subjected to torture and harassment and lastly she was drove out of the house.

Submission of the learned counsel for the petitioner is that the allegation is false and concocted and he is still ready to



keep her with dignity and care and for that purpose he has also filed a petition under Section 9 of the Hindu marriage Act before the learned Family Court, which is numbed as Matrimonial Case No.261 of 2018. On the other hand the learned counsel for the O.P.no.2 has submitted that as she was subjected to cruelty , she is not ready to reside with the petitioner.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with a direction to the petitioner to surrender before the learned court below and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sri Diwakar Kuamr, J.M. 1st Class, Nawada in connection with Complaint Case No.1340 of 2018, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that once the O.P.no.2 appears in matrimonial case no.261 of 2018, the learned Family Court shall take an effort for reconciliation either for restoration of marital relationship or for one time settlement or any other settlement.



With the aforesaid direction, this application is
disposed of.

(Vinod Kumar Sinha, J)

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