

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57739 of 2019

Arising Out of PS. Case No.-451 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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PREM PRAKASH SHARMA Son of Janardhan Sharma Resident of Village-
Badua, Ward No. 09, P.S.- Chauki- Bichala Ghat, P.S.- Balia near Sitaram
Mandir, District- Balia (U.P.), present resident of Shivpur Diyar, Nai Booti
Biyasi, P.S.- Balia (U.P.), PIN- 277401.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Archana Devi Wife of Prem Prakash Sharma, D/o Sri Girja Shambhu
Sharma Resident of Mohalla- Bedua, Ward No. 09, Police Chauki Bichala
Ghat, P.S.- Balia, District- Balia, U.P., PIN- 277401, Present resident of
Paijawapar, Ward No. 21, Post and P.S.- Barh, District- Patna- 803213.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-09-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection
with Complaint Case No451 of 2017 registered for offences
punishable under Section 498(A) of the Indian Penal Code.

Allegation against the petitioner is of demand of dowry
and for that subjecting her to cruelty . It further appears from
perusal of the impugned order that in view of direction of the
learned Addl. Sessions Judge, the petitioner has taken her to his
house to keep her with dignity and care but thereafter O.P.no.2
made complaints that the petitioner is still assaulting her .



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.

Heard learned A.P.P. and the learned counsel for the O.P.no.2 but after some argument, he has submitted that she is ready to reside with the petitioner if she is allowed to live with dignity and care..

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender on 26.9.2019 and on that day O.P.no.2 shall also remain present before the learned court below and on filing an affidavit by the petitioner that he is ready to keep her with dignity and care and will not subject her to assault or any other cruelty, he will be granted provisional bail in connection with Complaint Case No.451 of 2017 for a period of six months and during that period, both the parties shall appear before the learned court below so that the learned court below may watch their conduct and their matrimonial relationship and once being satisfied with the conduct of both the parties, especially the conduct of the petitioner, he shall confirm the bail bond of the petitioner otherwise he is free to pass any other order or orders as he deems fit and proper.



With the aforesaid direction, this application is
disposed of.

(Vinod Kumar Sinha, J)

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