

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3020 of 2019**

Arising Out of PS. Case No.-673 Year-2018 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

Prayas Suresh Sharma Late Shuresh Sharma R/o. A-3, Om Tirupati Darshan,
Thakurwadi no.-2, P.S.- Dombivaly, Mumbai (W). Permanent Add-3 Gogari
Niwas, Dr. A.B. Road Hindmata, P.S.- Dadar, Mumbai- 400014.

... .. Petitioner/s

Versus

1. The State Of Bihar and Anr Bihar
2. Alka Kumari @ Raksha Sudhir Kumar Bhatt Add.- Vill. and Post- Gaudadh,
P.S.- Shapur, Distt.- Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-03-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with Complaint Case No. 673 C/2018, registered for offences punishable under Sections 505/408A and 323 of the Indian Penal Code and under Section 3/4 of Dowry Prohibition Act.

Allegation as per F.I.R. against the petitioner, who happens to be the husband of the complainant is of subjecting his wife with cruelty and demanding Rs. 10 lacs for four wheeler.

Submission of learned counsel for the petitioner is that he has falsely been implicated in this case and the petitioner is ready to keep the complainant with dignity and care but as a



matter of fact, the opposite party No.2 is not ready to live with the petitioner.

Heard learned A.P.P. as well as learned counsel for the informant, who opposes the prayer for bail on the ground that the petitioner has filed a Divorce case in Mumbai High Court, which has been stayed by the Court. Learned counsel for the Opposite Party No.2 is still ready to live with the petitioner if being kept her with dignity and care.

Having heard both sides and in view of the facts and circumstances as discussed above, let the petitioner, above named surrender within a period of six weeks from the receipt of this order and on surrender, he shall be released on provisional bail for a period of six months by the court below to its own satisfaction on the condition that the petitioner takes his wife for living together and if the learned court below satisfied the conduct of both the parties and in this regard, the learned Court below shall issue notice to the petitioner and the complainant/opposite party No. 2 for their appearance before the Court below on 01.04.2019 for watching the conduct of both the parties and if satisfied the conduct of both the parties with further condition that the petitioner withdraw the Divorce case filed in the Mumbai High Court, his bail bond shall be



confirmed otherwise, the Court is free to pass any order as it may deem fit and proper.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

sudha/-

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

