

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13137 of 2020

Arising Out of PS. Case No.-520 Year-2019 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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CHANDAN SHARMA S/O Raghunath Sharma Village - Dhangawa,
(Dhangama) P.S. - Kadwa, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Fulo Devi W/o Chandan Sharma, D/O Bajarua Sharma R/O Village -
Roshanganj, P.S. - Baliya Belon, District - Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sah @ Baranwal
For the Opposite Party/s : Mr.Ajay Kumar No. 2
Mr.Rajendra Prasad Sah

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 05-12-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Complaint Case No. 520 of 2019, disclosing the offence under Sections 498-A, 323, 494 and 120-B of the Indian Penal Code.

The petitioner is husband of opposite party no. 2. There is allegation of demand of a sum of Rs. 1 lakh as dowry against all the family members of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner has filed an application under Section 9 of the Hindu Marriage Act for restoration of conjugal rights, which has been registered as Matrimonial Case No. 286 of 2019, a copy of which has been brought on record by way of Annexure-2 to this application. It has been argued that the



petitioner is willing to stay with opposite party no. 2 and lead a peaceful conjugal life.

Be that as it may, considering the nature of dispute and the fact narrated in the application, 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 learned C.J.M., Katihar in Complaint Case No. 520 of 2019, 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.

It is directed that defects in the application pointed out by the Registry must be removed within two months from today.

(Chakradhari Sharan Singh, J)

Rajesh/-

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