

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67354 of 2019

Arising Out of PS. Case No.-148 Year-2017 Thana- BHOJPUR COMPLAINT
CASE District- Bhojpur

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JITENDRA SHARMA @ JATINDER SHARMA Son of Nandjee Sharma
Resident of Village - Chanda, P.S.- Sikrahata, Distt - Bhojpur, Ara.

... .. Petitioner

Versus

1. The State of Bihar
2. Rubi Devi Jitendra Sharma @ Jatindr Sharma Resident of Village -
Mansagar, P.S.- Charpokhari, Distt - Bhojpur.

... .. Opposite Parties

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with

CRIMINAL MISCELLANEOUS No. 81456 of 2019
In
CRIMINAL MISCELLANEOUS No.67354 of 2019

Arising Out of PS. Case No.-148 Year-2017 Thana- BHOJPUR COMPLAINT
CASE District- Bhojpur

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JITENDRA SHARMA @ JATINDER SHARMA S/o Nandjee Sharma Resident
of Village - Chanda, P.S. - Sikrahata, District - Bhojpur, Ara.

... .. Petitioner

Versus

1. The State of Bihar
2. Rubi Devi W/O Jitendra Sharma @ Jatinder Sharma At present residing
in Village Mansagar P.S. Charpokhari District - Bhojpur.

... .. Opposite Parties

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 67354 of 2019)

For the Petitioner : Mr. Uday Kumar, Advocate.

For the State : Mrs. Anita Kumari, APP

(In CRIMINAL MISCELLANEOUS No. 81456 of 2019)

For the Petitioner : Mr. Uday Kumar, Advocate

For the State : Mr. Braj Kishore Pd., APP



CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 04-03-2020

Cr. Misc. No. 81456 of 2019

The present petition has been filed for modification of the order 06.11.2019 passed in Cr. Misc. No. 67354 of 2019.

2. Learned counsel for the petitioner submits that Complaint Case No. 148C/2017 was incorrectly typed in paragraph-1 as well as prayer portion of the petition through sheer inadvertence, in place of the correct Complaint Case No. 1481C/2017 and such mistake was accordingly also carried in the order dated 06.11.2019.

3. In the above view of the matter, the order dated 06.11.2019 be treated as corrected only to the extent that "Complaint Case No. 1481C/2017" be read in place of "Complaint Case No. 148C/2017".

4. The modification petition stands disposed of.

Cr. Misc. No. 67354 of 2019

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 323, 341, 498A, 34 of the Indian Penal Code registered in connection with Complaint Case No. 1481C of 2017.



3. It is submitted that the petitioner being the husband has been falsely implicated and the accusation of demand of dowry and inflicting cruelty are denied. It is submitted that the petitioner has filed for divorce in Matrimonial Case No. 4351 of 2017 prior to the present complaint being filed. This is the first such complaint of its nature since the parties were married three years ago. The petitioner claims claim antecedents.

4. None appears on behalf of the opposite party no. 2 when the matter is called.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Complaint Case No. 1481C of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in Court on each and every date during trial and in the



event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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