

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65473 of 2019

Arising Out of PS. Case No.-2636 Year-2017 Thana- COMPLAINT CASE District- Araria

MAHENDRA SHARMA @ MAHENDER SHARMA Son of Mahat Lal
Misteri Resident of Village - Bara, P.O.- Bsara Istambra, P.S.- Jokihat, District
- Araria

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Shanti Devi Wife of Mahendra Sharma @ Mahender Sharma Resident of
Village - Hathua Bhuna Ward no.- 13 Gram Panchayat Raber, P.S.- Routa,
District - Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar
For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-01-2020 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Complaint Case No.2636C of 2017, registered for offences
punishable under Sections 494 and 498A of the Indian Penal
Code.

In this case, petitioner happens to be husband of the
complainant and there is allegation against the petitioner of
abusing and assault to the complainant with regard to demand
of motorcycle and cash of Rs.02 lac and further he had
solemnized marriage with another lady, namely Madhu Devi.

Submission of the learned counsel for the petitioner is
that he is still ready to keep her with dignity and care and the
marriage was solemnized 20 years ago. Allegation is false and
concocted.



Heard learned A.P.P. and from perusal of the record, it appears that in this case earlier notice was issued to the O.P.no.2 and the office notes discloses that the same has been received by the O.P.no.2 but she has not appeared before this Court either herself or through her lawyer.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, 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 SDJM, Araria in connection with Complaint Case No.2636-C of 2019, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with condition that if the complainant is ready to reside with the petitioner, he has to keep her with dignity and care.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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