

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1905 of 2020

Arising Out of PS. Case No.-1764 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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DR. MADAN SHARMA, Son of Late Khedan Sharma, Resident of Village -
Parau Tola, P.S. - Lauriya, Distt. - West Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Gudiya Devi, D/o Hiralal Sharma, Resident of Village - Gahiri Kothi, P.O.
Viktoriya Mishan, P.S. - Nautan, Distt. - West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha, Advocate
For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 18-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Petitioner is husband of the opposite party no. 2. In spite of valid service of notice, no one appears for opposite party no. 2. The complaint based allegation would reveal that the petitioner allegedly committed offence under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Submission is that for other matrimonial dispute including a case of maintenance brought by opposite party no. 2



is pending before the Court of learned Principal Judge, Family Court, West Champaran at Bettiah.

Considering the facts aforesaid and future chances of settlement between the parties, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Complaint Case No. 1764C of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned Court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned Court below.

(c) The petitioner shall not leave the country without permission of the learned trial Court.

(Birendra Kumar, J)

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