

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 22244 of 2020

Arising Out of PS. Case No.-62 Year-2019 Thana- AGIAON BAZAR District- Bhojpur

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KRISHNA SHARMA @ KRISHNA KUMAR SHARMA Son of Lalan Sharma Resident of Village- Nonahar, P.S.- Suryapura in the District of Rohtas. At present resident of Samshan Road, Chiragonda, Hirapur, Old B.D.O. Office, behind Punjab National Bank, P.S.- Harpur in the District- Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 12-01-2021 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Agiaon P.S. Case N0. 62 of 2019, disclosing offences under Sections 341, 323, 326,498A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Petitioner is the husband of the Informant.

There is allegation in the First Information Report of assault and torture to the informant for non-fulfillment of demand of dowry. It is alleged that the informant was doused with kerosene oil and set alight by her in-law because of which she had received burn injuries also on 28.04.2019, which was an attempt to kill the informant. The First Information Report



was registered on 06.05.2019.

Learned counsel appearing on behalf of the petitioner has submitted that there is complete lack of harmony between the husband and wife which is the reason why FIR has been lodged and false allegation of demand of dowry and torture therefor have been made. He has submitted that the allegation that the informant received burn injuries and was treated in PMCH, Dhanbad is improbable as had that been so, FIR could have been registered at Dhanbad itself.

On perusal of the First Information Report and the other materials on record, I find force in the submission made on behalf of the petitioner that the matrimonial discord between the petitioner and the informant is the real reason for lodging of the FIR. This application is allowed

By order dated 18.08.2020, the petitioner was allowed provisional bail.

The provisional bail granted by order dated 18.08.2020 to the petitioner in Agiaon Bazar P.S. Case No. 62 of 2019 stands confirmed.

(Chakradhari Sharan Singh, J)

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