

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76852 of 2019

Arising Out of PS. Case No.-746 Year-2019 Thana- COMPLAINT CASE District- Jamui

SANJEET KUMAR SHARMA @ SANJEET SHARMA Son of Chhabila
Mistri Resident of Village - Basaiya, P.S.- Sikandara, Distt - Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Devi Wife of Sanjeet Kumar Sharma @ Sanjeet Sharma, D/o Shyam Kishore Mistri Resident of Village - Basaiya, P.S.- Sikandara, Distt - Jamui, presently livin at Village - Kahardih, P.S.- Khaira, Distt - Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Shree Niwas Singh, Advocate
For the State	:	Smt. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 31-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

The petitioner is apprehending his arrest in connection with Complaint case No.746C of 2019 registered under Sections 498A, 379, 323, 342, 504 of the Indian Penal Code.

By order dated 06.03.2020, notice was to be issued upon the opposite party No.2. Due to covid lockdown, the requisites for notice had not been filed within the stipulated period. The notice was filed after the stipulated period. Requisites filed on behalf of the petitioner is accepted. The present anticipatory bail application was filed on 25.11.2019 and it has been pending since then.

Considering the aforesaid facts, it is prayed on behalf



of the petitioner that the present application be disposed of on merit.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. The petitioner has relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of Shri M.K. Pandey, J.M. 1st class, Jamui in connection with Complaint case No.746C/2019, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

(Sudhir Singh, J)

Narendra/-

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