

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21657 of 2021

Arising Out of PS. Case No.-37 Year-2019 Thana- RATANPUR District- Supaul

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JAI KRISHNA SHARMA @ PRITAM Son of Muneshwar Shurma Resident of
Village - Bahorawa Ratanpur, P.S.- Ratanpur, Distt.- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Kumari Devi W/o Jai Krishna Sharma @ Pritam, D/o Manoj Das
Resident of Village - Salehashpur, Ward No.14, P.S.- Bheem Nagar, Distt.-
Supaul.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 27-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498A,
494, 341, 323, 504 and 506/34 of the Indian Penal Code.

In compliance of the order dated 20.06.2022, the
learned A.P.P. has filed a counter affidavit on behalf of the
Superintendent of Police, Supaul wherein it has been
specifically recorded that petitioner has not performed his
second marriage while the informant Jyoti Kumari has
performed her second marriage with Umesh Kumar, S/o



Khushilal Sharma, village Padumnagar, Ward No. 1, P.S. Karjain, District Supaul on 07.05.2021.

Learned counsel for the petitioner submits that from the counter affidavit filed on behalf of the Superintendent of Police, Supaul, it is clear that petitioner has not performed his second marriage while the informant has performed her second marriage. It is next submitted that this amply demonstrates that the informant had instituted the FIR only to harass the petitioner when in reality she has performed her second marriage and out of the wedlock one child is also born.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner and taking into consideration the averments made in the counter affidavit filed on behalf of the Superintendent of Police, Supaul, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ratanpur P.S. Case



No. 37 of 2019, subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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