

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24176 of 2022

Arising Out of PS. Case No.-742 Year-2016 Thana- GAYA COMPLAINT CASE District-
Gaya

RAJESH SHARMA Son of Late Deena Sharma Resident of Village - New
Etwarpur, Patna Gaya Road, Near Weyar House Parsa Bazar, P.S.- Parsa
Bazar, District – Patna. Petitioner/s

Versus

1. The State of Bihar
2. Ibha Devi Wife of Rajesh Sharma Resident of Mohalla - Katari Hill Road,
P.S.- Chandauti, District - Gaya. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Govind
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-10-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The instant application for anticipatory bail has been filed
by the petitioner apprehending his arrest in connection with
Complaint Case No. C-742 of 2016 instituted for the offence under
Sections 323 and 420 of the Indian Penal Code.

Prosecution case relates to torture and assault by the
petitioner to the complainant.

Learned counsel appearing on behalf of the petitioner has
submitted that petitioner is innocent and has committed no offence. It
is submitted that after mediation proceeding the petitioner and
opposite party no. 2 were not living together rather they were living
separately from each other as decided in the mediation proceeding.
Both parties had agreed for one time settlement and accordingly,



petitioner agreed to give Rs. 75,000/- and possession of the land measuring 15 dhurs at Korma Pahar in Gaya. It is further submitted that cheque bearing no. 822661 dated 20.05.2015 was also duly encashed by the opposite party no. 2. A chunk of 15 dhurs had also been transferred to the opposite party no. 2 and this fact is supported by Annexure -7 which is a document of Notary Public Gaya.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Complaint Case No. C-742 of 2016, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM XI, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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