

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49580 of 2019

Arising Out of PS. Case No.-87 Year-2016 Thana- PASRAHA District- Khagaria

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RANJEET SHARMA @ RANJEET KUMAR Son of Late Narayan Sharma
Resident of Village- Muradpur, Ward No.12, P.S.- Kursela, District- Katihar

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Suchita Kumari Wife of Ranjeet Sharma @ Ranjeet Kumar, daughter of Vivekakand Sharma At present residing at village- Koila, P.S.- Pasraha, District- Khagaria.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mrs. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

8 12-04-2022 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in Pasraha P.S. Case No. 87 of 2016 registered under Sections 307, 498(A), 34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment 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 due to petty family dispute. The petitioner is husband of the victim. There is no



substantive evidence in respect of the offence under Section-307 of the Indian Penal Code and except for the offence under Section-307 of the Indian Penal Code, the other offences are triable by Magistrate. It has further been submitted that the matter has been resolved and the O.P. No. 2 is living with the petitioner. 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 aforesaid 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 furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Pasraha P.S. Case No. 87 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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