

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13264 of 2021

Arising Out of PS. Case No.-78 Year-2019 Thana- ALINAGAR District- Darbhanga

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BACHNU SHARMA @ BACHNU KUMAR SHARMA Son of Chhebu Sharma @ Chabu Sharma Resident of Village - Milki, P.S. - Alinagar, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi Wife of Bachnu Sharma @ Bachnu Kumar Sharma Resident of Village - Milki, P.S. - Alinagar, District - Darbhanga, D/O Sitaram Sharma, Resident of Village - Harsingpur, P.S.- Ghanshyampur, District - Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

12 13-04-2023 Heard learned counsels for the petitioner and learned A.P.P. for the State. Despite service of notice nobody appears on behalf of O.P. No.2.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 379, 498(A) and some other ancillary Sections of the I.P.C. and u/s 3/4 of Dowry Prohibition Act

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has has falsely been implicated in



the present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is the husband of the victim. The case is triable by the Magistrate. The petitioner has further 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**. Petitioner has got clean antecedent.

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

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Darbhanga in connection with Alinagar PS case No. 78/ 2019, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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