

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50059 of 2022

Arising Out of PS. Case No.-133 Year-2022 Thana- RAJPUR District- Buxar

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AJESH SHARMA S/O MAHENDRA SHARMA Resident of village-
Bahuwara, P.S.- Rajpur, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gunjan Sharma W/o Ajesh Sharma, D/o Chandeshwar Sharma R/o Kasera Pokhra, P.S.- Jamniya, Distt- Gazipur (U.P.).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar

For the Opposite Party/s : Mr.Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

7 12-04-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in

connection with Rajpur P.S. Case No. 133 of 2022, registered

for the offences punishable under Sections 498(A), 494/34 of

the IPC and ³/₄ D.P. Act.

The informant was married to the petitioner in the

year 2019. As per allegation, she was tortured for demand of

dowry and was also subjected to cruelty at the hands of the



petitioner and her family members. The petitioner has illicit relation with another girl. It has jointly been submitted that matrimonial relation has become irretrievable.

The petitioner was granted provisional bail for purpose of mediation and conciliation, but the mediation failed and the matrimonial relation could not be restored.

The learned counsel for the petitioner has submitted that, if ordered, the petitioner is ready to pay maintenance of Rs. 2,500/- per month to the informant.

On the other hand, the learned counsel for the informant has submitted that the amount is too meager. Even it cannot meet the daily basic needs of the informant, to which the learned counsel for the petitioner has replied that the petitioner is a daily wage labourer and he cannot make monthly payment of amount more than Rs. 2,500/-.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Buxar in connection with Rajpur P.S. Case No. 133 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the



disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

The petitioner is directed to make payment of Rs. 2,500/- per month in the bank account of the informant. The maintenance amount must be deposited till 10th date of every month, in case of violation of this condition, his bail bond may be cancelled.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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