

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53069 of 2022**

Arising Out of PS. Case No.-68 Year-2020 Thana- BELDOUR District- Khagaria

BABULAL SHARMA S/o Bachkan Sharma @ Bechkan Sharma R/o village-  
Paterba Gwash, P.S.- Beldour, District- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Asha Devi D/o Late Khedan Sharma R/o village- Baidyanathpur, P.S.- Saur Bazar, District- Saharsa

... .. Opposite Party/s

**Appearance :**

|                              |   |                       |
|------------------------------|---|-----------------------|
| For the Petitioner/s         | : | Mr.Mrityunjay Kumar   |
| For the Opposite Party/s     | : | Mr.Rana Randhir Singh |
| For the Opposite Party No. 2 | : | None                  |

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

3      27-02-2023                      Despite the valid service of notice, nobody present  
on behalf of the Opposite Party. No. 2.

Heard Ld. counsel for the petitioner and Ld. APP  
for the State.

The petitioner seeks bail in connection with Beldour  
P.S. Case No. 68 of 2020 dated 01.04.2020 G.R. No. 964  
of 2020, registered for the offences punishable under  
Sections 498A of the Indian Penal Code and 3/4 of Dowry  
Prohibition Act.

The prosecution case as emerges from the F.I.R. is  
that the marriage of the informant, namely, Asha Devi was



solemnized with one Babulal Sharma, according to Hindu rites and customs about 6-7 months ago. After some times, the husband and his family members started torturing her for non-fulfillment of illegal demand of dowry. Allegation of threatening to oust her is also there.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on account of matrimonial discord. He also submits that investigation in this case is complete and charge-sheet has already been submitted.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, the provisional bail granted to the petitioner vide order dated 23.12.2022 is hereby



confirmed, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is



wrong, Ld. court below shall cancel the bail bonds of the petitioner.

The petitioner shall remain on the same bail bonds.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

**(Jitendra Kumar, J)**

uttam/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

