

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11133 of 2024

Arising Out of PS. Case No.-231 Year-2023 Thana- NAWADAH COMPLAINT CASE
District- Nawada

=====

Ashish Sharma @ Ashish Kumar S/O Shambhu Vishwakarma R/O Mohalla-
Mahalpur, P.S- Bihar Sharif, Dist.- Nalanda, Presently Residing At Karnibag
Kunda, P.S- Kunda, Distt.- Deoghar (JHARKHAND).

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Putul Kumari W/O Ashish Sharma @ Ashish Kumar R/O Jungal Beldar
(BUDHOL), P.O And P.S- Nawada, Distt.- Nawada, Bihar, Pin Code-
805110.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar
For the Opposite Party/s : Mr.Parmanand Prasad

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 231 of 2023, for the
offences punishable under Section 498A of the Indian Penal
Code.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have tortured the complainant
mentally and physically and ousted her from the matrimonial
home due to non-fulfillment of demand of Rs. 2 Lakh as dowry.

4. Learned counsel for the petitioner has submitted



that the petitioner has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. It is further submitted that the petitioner is the husband of the complainant. The petitioner neither demanded any dowry nor tortured the complainant. The petitioner is ready to keep the informant with full dignity and honour. Learned counsel further submitted that the complainant is A.N.M. posted at Narhat Govt. Hospital. 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.”*** Learned counsel has further relied on the judgments in the case of ***Satendra Kumar Antil Vs. Central Bureau of Investigation and Another (2022) 10 SCR 351 and Md. Asfak Alam Vs. The State of Jharkhand & Anr.*** Passed in Criminal Appeal No(s). 2207 of 2023, arising out of Special Leave Petition (CRL.) No. 3433 of 2023. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner, let the above named petitioner, in the



event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Nawada in connection with Complaint Case No. 231 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

U		T	
---	--	---	--

