

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19038 of 2024

Arising Out of PS. Case No.-994 Year-2021 Thana- COMPLAINT CASE District- Banka

Vikash Sharma son of Rajkishor Mistry @ Rajkishor Sharma Village-
Chandan Ps- Chandan Dist- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Veena Devi D/o-Shivnath Sharma Village- Ashnaha Ps- Bandhuwa Kurawa
Dist- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-07-2024 Despite valid service of notice , nobody appears on
behalf of opposite party No. 2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 323 and 498A of the
Indian Penal Code .

3. As per the prosecution case, complaint got married
with the petitioner seven years ago. After some time of
marriage, this petitioner along with other co-accused persons
started demanding dowry and due to non-fulfillment of the
same, informant was subjected to cruelty and harassment. It is
further alleged that at last all the accused persons ousted the
informant from her matrimonial house along with her children .



4. Learned counsel for the petitioner while denying the allegations, submits that the petitioner has falsely been implicated in this case because he happens to be husband of the victim. However, he is ready to keep the victim with honour and dignity. 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 claims clean antecedent.

5. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let this petitioner, as named above, 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 the learned Court of JM 1st Class, Banka Patna in connection with Banka Complaint Case No. 994 of 2021 , subject to the conditions laid down under section 438 of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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