

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 30146 of 2024

Arising Out of PS. Case No.-1130 Year-2013 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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GUNJAN SHARMA @ CHHOTU SHARMA SON OF VIJAY SHARMA
RESIDENT OF VILLAGE - CHAAS, HOUSE NO. 178, VEER KUNWAR
SINGH COLONY, CHECK POST - CHAAS, P.S. - CHAAS, DISTRICT -
BOKARO

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. DIPTI SHARMA WIFE OF GUNJAN SHARMA, DAUGHTER OF
RAMAWTAR SHARMA RESIDENT OF VILLAGE - ISLAMPUR,
BADHAI TOLA, P.S. - ISLAMPUR, DISTRICT - NALANDA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Jitendra Kumar Giri, Advocate
For the Opposite Party/s : Mr Madan Kumar, APP

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CORAM: HONOURABLE MR JUSTICE KHATIM REZA
ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2 The petitioner apprehends arrest in connection with
Complaint Case No 1130 (C) of 2013 instituted under Sections
341, 323, 498A, 380, 494 of the Indian Penal Code.

3 The allegation against the petitioner is that he
assaulted the complainant and ousted her from the matrimonial
home due to non-fulfillment of demand of dowry.

4 The learned counsel for the petitioner submitted that
the petitioner is the husband of the complainant. The present
case has been lodged against all family members of the
petitioner. Learned counsel for the petitioner further submitted



that Matrimonial Case No 275 of 2013 was filed by the petitioner for divorce which was decreed on 27.01.2015. The present complaint case has been lodged in the year, 2013 and cognizance has been taken in the year, 2014. It is submitted that after decree of divorce, the petitioner has married a girl, namely, Nikhat Ara on 02.06.2015 and is leading his married life. Petitioner has no criminal antecedent.

5 Learned APP has opposed the prayer for bail.

6 Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, District – Nalanda in Complaint Case No 1130 (C) of 2013 subject to the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

7 The application stands allowed.

(Khatim Reza, J)

M.E.H./-

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