

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52339 of 2023

Arising Out of PS. Case No.-667 Year-2022 Thana- AMARPUR District- Banka

GAUTAM SHARMA SON OF PARMANAND SHARMA RESIDENT OF
VILLAGE- KASHPUR, PS- AMARPUR, DISTT- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Brij Nandad Prasad, Adv.
For the Opposite Party/s	:	Mr.Chandra Bhushan Prasad, APP
For the Informant	:	Mr.Sanjay Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 29-02-2024 Heard learned counsel for the parties.

2. Petitioners apprehend their arrest in a case registered for the offence punishable u/s 323, 394, 420, 504, 506, 120(B)/34 of the IPC.

3. The petitioner is alleged to have solemnized second marriage with another girl during subsistence of the first marriage with the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner submits that the petitioner is ready to comply the order dated 14.01.2020 passed in Maintenance Case No.61 of 2018, passed by the Principal Judge, Family Court, Banka, whereby the Family Court has directed the petitioner to pay Rs.4000/- per



month to the O.P. No.2. Till date, the petitioner has not paid the said amount to the O.P. No.2 as he has challenged the said order in Revision but at present, petitioner is ready to pay the entire amount i.e. @ 4000/- per month till January, 2024, which comes to about Rs.2,00,000/- to the O.P. No.2 in six months.

5. Having regard to the facts and circumstances of the case, since the petitioner is ready to pay the aforesaid amount to the O.P. No.2, let the above named petitioner, be released on **provisional bail** for a period of six months from today, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Amarpur P.S. Case No.667 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

6. The provisional bail of the petitioner shall be confirmed by the learned court below itself on showing the receipt of payment of Rs.2,00,000/- (Rupees Two Lacs) to the O.P. No.2.

(Anjani Kumar Sharan, J)

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