

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68287 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- MAHILA P.S. District- Sheohar

Swami Sharan Son Of Rajendra Prasad Sharan Village Tajpur Saraiya, P.S. Rajepur Jila, Distt. East Champaran At Motihari, Presently Residing At A 214 Kendriya Vihar, Sector 51, Noida Ps- Kendriya Vihar, Distt- Gautam Budha Nagar, Uttar Pradesh

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amrita Kumari Wife Of Swami Sharan, D/O Amrendra Kumar Sah Shauhari R/O Village- Vrindavan, Ps- Tariyani, Distt- Sheohar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.
For the Opposite Party/s : Ms. Asha Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-01-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 504, 506/34 of the Indian Penal Code and u/s 3/4 of Dowry Prohibition Act, 1961.

3. Allegation against the petitioner is that he along with his family members have demanded Scorpio as dowry from the informant. Due to non-fulfillment of the same they thrown away the informant from the house.

4. It is submitted by learned counsel for the petitioner



that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. Petitioner is husband of the informant. He further submits that petitioner has filed a Divorce Case No. 1174 of 2022 in the court of Principal Judge, Family court, Gautam Buddha Nagar, Uttar Pradesh. As per the F.I.R., the allegation against the petitioner is that he has assaulted the informant in the year 2017 but the present F.I.R. has been lodged in the year 2023. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, after filing the divorce case by the petitioner the present case has been lodged by the informant, let the above named petitioner, be released on bail, 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



Mahila P.S. Case No.05 of 2023, subject to the condition as laid
down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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