

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71979 of 2023

Arising Out of PS. Case No.-38 Year-2023 Thana- MAHILA PS District- Buxar

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Anand Sharma @ Anand Kumar Son Of Rajesh Sharma R/O Village- Turki,
P.S.- Kudra, District- Kaimur At Bhabua

... .. Petitioner/s

Versus

1.The State of Bihar
2. Kumari Rekha W/o Anand Sharma @ Anand Kumar, D/o Sri Udhar
Sharma, R/o vill-Kanualli, P.S. Rajpur, Dist.-Buxar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Setu Prateek
For the Opposite Party/s : Mr. Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-04-2024 1. 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 offence punishable under Sections 323, 498A, 504 and 34 of the Indian Penal Code and Sections 3 and 4 of the D.P. Act.

3. The learned counsel for the petitioner submits that notices were issued on the O.P. No.2 and the same was even validly served on the O.P. No.2, as would manifest from the office report dated 21.03.2024. It is next submitted that O.P. No.2 despite receiving notice chooses not to appear and contest the case. It is next submitted that the petitioner being the husband has been falsely implicated in the instant case with



general and omnibus allegation of torture, assault and demand of dowry along with his entire family members. It is next submitted that the O.P. No.2 on her own volition left the matrimonial home and is not interested in reviving her conjugal relationship and this perhaps explains why despite receiving notice, she chooses not to appear.

4. The learned APP opposes the anticipatory bail application of the petitioner.

5. Considering the submissions made by the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Buxar (Mahila) P.S. Case No.38/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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