

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80152 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- HATHAURI District- Samastipur

Sanjay Sharma Son Of Shiv Kumar Sharma Resident Of Village- Gurgaon,
Ashok Vihar, Plot No. 78, Flat No. 402, Ps- Gurgaon City, Haryana

... .. Petitioner/s

Versus

1. The State of Bihar
2. Yati Kumari Wife Of Sanjay Sharma Resident Of Village- Hathauri Sahru,
Hathauri Ps- Samstipur,

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Piyush Kumar Pandey, Adv.
For the State	:	Mr. Nagendra Prasad, APP
For the O.P.-2	:	Mr. Vijay Anand, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 10-01-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
opposite party no. 2.

2. The petitioner, husband of the opposite party no. 2,
apprehends his arrest in a case registered for the offence under
Sections 341, 323, 498A, 504, 506, 379/34 of the Indian Penal
Code.

3. As per F.I.R., the allegation against petitioner is that
he alongwith his family members committed torture and
harassment with the opposite party no. 2 due to non-fulfillment
of cash of Rs. 50,000/- and a car, as dowry.

4. Earlier, to explore the possibility of settlement



between the parties, vide order dated 03.05.2024, the matter was referred to Mediation & Conciliation Centre of Patna High Court, but the dispute between the parties could not be resolved through the process of mediation and as such, mediation failed (Report kept at flag 'M').

5. Petitioner denies the allegation made in the F.I.R. and submits that he is still ready to keep the opposite party no. 2 with full honour and dignity. He never demanded any dowry or committed torture with opposite party no. 2. Moreover, the case is triable by the learned 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*.

6. Learned counsel for the opposite party no. 2 vehemently opposes the prayer for anticipatory bail and submits that as per F.I.R., there is specific allegation of demanding dowry and committing torture against this petitioner.

7. Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of eight 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 Chief Judicial Magistrate, Samastipur in connection with Hathauri P.S. Case No. 44 of 2023, subject to the conditions, as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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