

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39720 of 2015

Arising Out of Complaint Case No. -2114 Year- 2014 Thana -VAISALI COMPLAINT CASE
District- VAISHALI(HAJIPUR)

=====

Birju Sahni, son of Sri Lakhendra Sahni

.... Petitioner/s

Versus

1. State of Bihar
2. Reena Devi, wife of Birju Sahni

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 28-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand. The complainant claimed to have married with the petitioner in 2006.

It is submitted by learned counsel for the petitioner that the complainant was never married with this petitioner. In fact, she was married with Upendra Sahni, the elder brother of the petitioner. The photocopy of Voter Identity Card of the complainant has been brought on record, as annexure -1,

which shows Upendra Sahni as her husband. Voter List of Sahdullacha village, Anchal – Mahua, Dist.-Vaishali has been brought on record, by way of annexure – 2, wherein at Serial No.192, the name of husband of the complainant has been mentioned as Upendra Sahni. The photocopy of Ration Card has also been brought on record by way of annexure 4 wherein Upendra Sahni and the complainant Rina Devi have been described as married whereas the petitioner's name appears at Sr. No.6 has been described as unmarried. The Panchayat representatives have also issued certificates, as contained in annexure-5 series, which too certify Rina Devi, the complainant, as wife of Upendra Sahni.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Vaishali at Hajipur in connection with Complaint Case No.2114 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--