

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13861 of 2018

Arising Out of PS. Case No.-233 Year-2015 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Amit Sahni, Son of Late Hare Kishun Sahani, Resident of Village- Badhauna,
Police Station- Vidyapatinagar, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Moti Devi, Wife of Amit Sahni, Resident of Village- Badhauna, Police Station- Vidyapatinagar, District- Samastipur, Daughter of Ram Nandan Sahani, presently residing at Mohalla Gadha Sisai, Police station Vidyapatinagar, District Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Choudhary Shyam Nandan
For the Opposite Party/s : Mr. PARMESHWAR MEHTA

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The opposite party No.2 is in habit of instituting



cases for similar offences against the petitioner and his family members. The petitioner has 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.

On behalf of the State, it is submitted that the petitioner is named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Dalsinghsarai, Samastipur in connection with Complaint case C.R. No.233C of 2015, Tr. No.1461 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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