

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16918 of 2019

Arising Out of PS. Case No.-1150 Year-2016 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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Ramprit Sahni, son of Shital Sahani Resident of Village - Chainpur, P.S.-
Minapur, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sanju Devi, Wife of Ramprit Sahani, D/o Kailash Sahani Resident of Village
- Kaphen Chaudhary, P.S.- Hathauri, Distt - Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Devendra Kumar, Adv.
For the Opposite Party/s : Mr.Devendra Kumar, Adv
For the Opposite Party No.2 : Mr. S. K. Thakur, Adv
Mr. Subodh Kumar Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 01-08-2019 Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the State as well as learned

counsel for the Opposite Party No.2.

Petitioner apprehends his arrest in connection with

Complaint Case No.C-1150 of 2016 for the offence punishable

under Section 498(A) of the Indian Penal Code and Section 4 of

Dowry Prohibition Act.

The allegation against the petitioner is that the

marriage of the petitioner was solemnized with the complainant

in the year 2010. It has further been alleged when the

complainant went to Sasural, the petitioner along with others



started demanding Rs.50,000/- from her parents for starting the business of fish and when it was not given by the parents, the complainant was assaulted and tortured physically and mentally by the petitioner and other accused persons. The complainant is ousted out of her matrimonial house and she is residing in her Miaka.

Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence in the manner alleged. He further submits that the complainant has performed third marriage which would be evident from Annexure-2 which is a certificate issued by Ward Development Committee member.

On the other hand learned counsel appearing for the Opposite Party No.2 submits that complainant was being tortured by the petitioner for the purpose of dowry and further the allegation that the complainant has performed third marriage is completely based on falsity inasmuch as the certificate issued by ward member is not reliable. He further submits that the matter was referred in Mediation and from perusal of Mediation report dated 24.07.2019, it would be evident that in spite of best and sincere efforts, dispute between the parties could not be resolved through process of Mediation. Learned counsel further



submits that the petitioner is not willing to settle the issue between the parties and the offer made by the Opposite Party No.2 was not accepted by the petitioner in Mediation also.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the allegation made against the petitioner is specific and as per the allegation, he assaulted her wife mentally and physically, accordingly, I am not inclined to grant anticipatory bail to the petitioner and the same is hereby rejected.

(Anil Kumar Sinha, J)

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