

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26687 of 2019

Arising Out of PS. Case No.-2097 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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AJAY SAHNI S/o Laxman Sahni @ Lachhman Sahni, R/o of Village- Malahi
Tola, Chandrahiya, P.S.- Piprakothi District- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Chhoti Deiv, W/O Ajay Sahni D/O Rameshwar Sahni, R/O Village- Malahi
Tola, Chandrahiya, P.S.- Pipra Kothi, at present- village Hardiya, P.S.-
Turkauliya, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kripanand Kumar Prabhakar
For the Opposite Party/s : Mr.Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 18-10-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.2097© of 2017 dated 7.10.2017 registered for offences punishable under Sections 498A, 379, 323, 504 of the Indian Penal Code and Sections ¾ of the D.P.Act.

Petitioner happens to be husband of the complainant and there is allegation of demand and torture.

Submission of the learned counsel for the petitioner is that as a matter of fact he is still ready to keep her with dignity and care but she is not ready to reside with the petitioner.

In this case, earlier notice was issued to the O.P.no.2 by both the processes but notice has returned unserved with a note of the process server that the addressee could not be located



whereas the notice was sent on the address supplied by the complainant in the complaint petition.

Heard learned A.P.P. also.

Considering the aforesaid aspect of the matter, and stands of the petitioner, this application is disposed of with a direction to the petitioner to surrender within a period of three weeks from the date of receipt of the order and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Motihari, East Champaran in connection with Complaint Case No.2097©/17 dated 7.10.2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that if the O.P.no.2 appear in future and want to reside with the petitioner, he has to keep her with dignity and care, otherwise O.P.no.2 is at liberty to move for cancellation of his bail bond before the learned court below itself.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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