

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27086 of 2020

Arising Out of PS. Case No.-2104 Year-2015 Thana- VAISALI COMPLAINT CASE
District- Vaishali

RAMANAND SAHANI Son of Nathuni Sahni Resident of Village - Chatur Maudah, P.S.- Patepur, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sati Devi Wife of Ramanand Sahani Resident of Village - Chatur Maudah, P.S.- Patepur, District - Vaishali Presently residing at - D/o Munshi Sahni, Resident of Village - Sirsa Biran, P.S.- Lalganj, District - Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Rajendra Nath Jha, the learned A.P.P. appearing for the State.

The petitioner apprehends his arrest in connection with Vaishali Complaint Case No. 2104 of 2015 for the offence punishable under Sections 323, 324, 498(A), 379 of the Indian Penal Code and 3/4 of D.P. Act.

The case of the complainant in brief is that she was married with the petitioner according to Hindu rites and customs



and after her marriage, the petitioner and his relatives started demanding a motorcycle as also a sum of Rs. 20,000/- by way of dowry and on account of non-fulfillment of the said demand of dowry, the petitioner and his family members started subjecting the complainant to torture and cruelty and finally she was ousted from her matrimonial house.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted by the learned counsel for the petitioner that a Panchayati had taken place in between the complainant and the petitioner in the year 2015 and an agreement was entered into, whereafter the petitioner had not only given a sum of Rs. 50,000/- to the complainant but had also handed over her belongings to her and since then both the parties are living separately. It is also submitted that the complainant has solemnized marriage with one Mahesh Sahni, thus apparently the complaint has been filed by the complainant only with an ulterior motive.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for anticipatory bail, made by the petitioner.



Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the parties and taking into account the fact that the impugned order dated 24.06.2020 shows that despite the matter being adjourned on several occasions, the complainant had not turned up before the learned court below, which amply demonstrates that the complainant doesn't seem to be interested in opposing the prayer of the petitioner for grant of anticipatory bail, apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from today, the petitioner, above-named, is directed to be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned J.M. 1st, Vaishali at Hajipur, in connection with Vaishali Complaint Case No. 2104 of 2015, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Mohit Kumar Shah, J)

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