

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45132 of 2019

Arising Out of PS. Case No.-513 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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SUJEET KUMAR SAHNI @ SUJIT KUMAR SAHANI (Male), aged about 31 years, Son of Late Ram Chandra Sahani, Resident of Village-Panapur, P.S.- Minapur (O.P Panapur), Distt-Muzaffarpur.

... .. Petitioner

Versus

1. The State Of Bihar.
2. Usha Devi (Female), aged about 30 years, Wife of Sujit Kumar, D/o Sri Bhagwan Sahani, Resident of Village-Panapur, P.S.- Minapur (O.P Panapur), Distt-Muzaffarpur. At present resident of village-Balmi Mahammadpur, P.S.- Motipur, Distt - Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Diwakar Prasad Karn, Advocate.
For the State	:	Mr. Murli Dhar, Advocate.
For the O.P. No. 2	:	Mr. Alok Kumar Alok, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 06-09-2021 Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and learned A.P.P. for the State through Virtual mode.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 498(A) of the I.P.C. and ³/₄ of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.

Vide order dated 30.09.2019, the matter was referred



to the Patna High Court Mediation and Reconciliation Centre by another Co-ordinate Bench of this Court.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is the husband of the victim. The case is triable by the Magistrate. The petitioner has further 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of the learned S.D.J.M. West, Muzaffarpur, in connection with Muzaffarpur Complaint Case No. 513/2018, corresponding to Tr. No. 2954/2018, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

If so advised, either of the parties will be at liberty to make an application before the court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

(Sudhir Singh, J)

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