

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65566 of 2021**

Arising Out of PS. Case No.-205 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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SHYAMDEV SAHNI @ SHYAMBABU SAHNI S/o- Tulsi Sahni Resident of
Village - Siswania Gijas, P.S. - Saraiya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. PUNAM KUMARI wife of Shyamdev Sahni @ Shyambabu Sahni and daughter of Dhanu Sahni Presently Residing at Village Bahilwara Bhual Uttari, P.S. - Saraiya, Distt. - Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Hari Kishore Thakur, Advocate
For the State	:	Mr.Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner is apprehending his arrest in connection with Complaint case No.205/2018, Trial No.3312/2020 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 the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. 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/F.I.R.

Considering the facts and circumstances of the case, 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 furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. West, Muzaffarpur in connection with Complaint case No.205 of 2018, Trial No.3312/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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)

Narendra/-

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