

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82312 of 2019**

Arising Out of PS. Case No.-2073 Year-2016 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

=====

RAUSHAN KUMAR SAHANI @ RAJIV KUMAR Son of Ram Bilash
Sahani Resident of Village - Jatkauli, P.S.- Vaishali, District- Vaishali

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Soni Devi Wife of Raushan Kumar Sahani, D/O - Ranjit Sahani Resident of Mohalla - Balughat Kamra, P.S. and District- Muzaffarpur

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Ram Sevak Choudhary

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

13 22-07-2021 Heard learned counsel for the parties through video conferencing.

Accusation is of torturing of the complainant/ opposite party no.2-Soni Devi at the hand of this petitioner who is husband and other in-laws due to non-fulfillment of demand of 5 katha of land and personal belonging to opposite party no.2 and for removing the complainant/opposite party no.2 in unconscious state from the house. The complainant was taken out from her matrimonial house in unconscious stage by her maternal uncle for treatment at Muzaffarpur.

Learned counsel for the petitioner submits that in fact, in the year 2015, a Panchyati was arranged in which father of



the complainant/opposite party no.2 took Rs. 1,30,000/- and personal belongings of opposite party no.2 with decision the opposite party no.2 will not live with petitioner which would appear from Annexure 2 but the opposite party no.2 only to harass filed the Complaint Case no. 2330 of 2016 before the Chief Judicial Magistrate against the petitioner and his family members.

On the other hand, learned counsel for opposite party no.2 opposed the submissions of learned counsel for the petitioner saying that while it is alleged in the supplementary affidavit that father of the complainant/opposite party no.2 took cash of Rs 1,30,000/- and personal belongings of opposite party no.2 but it appears from the complaint petition that complaint was filed by the complainant/opposite party no.2 in the year 2016 and the present application i.e. Cr. Misc. no. 82312/2019 has been filed by the petitioner on 10.12.2019 but the petitioner has not disclosed the said fact in his petition for pre-arrest bail. In fact, petitioner any how wants to get pre-arrest bail from this court.

Present application has been filed by the petitioner on 10.12.2019 but there is no description of settlement of dispute in between the petitioner and opposite party no.2 by taking Rs



1,30,000/- and personal belongings by her father.

Having regard to the facts and circumstance, the present application filed in connection with Complaint Case no. 2073/2016 corresponding to Tr. no. 1014/2019 for pre-arrest bail is rejected. The petitioner is directed to surrender within four weeks and seek regular bail.

(Rajendra Kumar Mishra, J)

s.hassan/-

U		T	
---	--	---	--

