

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7981 of 2020

Arising Out of PS. Case No.-729 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Vinod Sahani @ Vinod Kumar Sahani @ Binod Sahani @ Binod Kumar Sahani Son of Mohar Sahani Resident of Village Talwa Dipau, P.S. Kotwa, District East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kabita Kumari Daughter of Shiv Shankar Sahni, Wife of Binod Sahni, Resident of Village Uttri Bhawanipur, P.S. Sangrampur, District East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Ramakant Yadav
For the Opposite Party/s :	Mr. Binod Kumar
	Mr. Shakil Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-01-2022 Heard learned counsel for the parties through virtual court proceedings.

The petitioner apprehends his arrest in Complaint Case No.729C of 2019, registered for the offence punishable under Section 498A of the Indian Penal Code.

The petitioner and other in-laws are said to have tortured the victim due to non-fulfillment of demand of additional dowry.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. There is general and omnibus allegation against



the petitioner. It is further submitted that the petitioner has already filed Divorce Case No.470 of 2019 before the Family Court, Motihari on 03.04.2019 and when the complainant came to know about this fact, she has filed the present case on 10.04.2019. The petitioner has also lodged an FIR being Kotwa P.S. Case No.281 of 2019 against the father of the complainant and others. It is submitted that the petitioner has got no criminal antecedent as stated in para 3 of the bail petition.

Learned counsel appearing on behalf of opposite party no.2 submits that the petitioner has tortured the complainant and ousted her out from the house. It is also submitted that opposite party no.2 has filed a maintenance case before the learned court below being Maintenance Case No.223 of 2019.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Motihari Sadar at Motihari in connection with Complaint Case No.729C of 2019, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

(Anjani Kumar Sharan, J.)

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