

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16942 of 2021

Arising Out of PS. Case No.-169 Year-2019 Thana- DEWARIA District- Muzaffarpur

RAJESH SAHNI, Son of Late Shivchandra Sahni, Resident of Village -
Madhopur Bujurg, P.S. - Deoria, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nitu Devi, Wife of Rajesh Sahni, Daughter of Prabhu Sahni Resident of
Village - Madhopur Bujurg, P.S. - Deoria, District - Muzaffarpur at Present
Village - Ginja (Jha Jha Tola), P.S. - Saraiya (Jaintpur o.p.), District -
Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 22-04-2022 Learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter

within one month.

Heard Mr. Manoj Kumar, learned counsel for the

petitioner as well as learned counsel for the informant

through video conferencing. The State is represented by Mr.

Ashok Kumar Singh, learned APP.

The petitioner apprehends his arrest for the

offences alleged under Sections 147, 149, 323, 341, 379,

385, 498(A) and 504 of the Indian Penal Code, registered in



connection with Deoria P. S. Case No. 169 of 2019.

Smt. Nitu Devi is wife of the present petitioner. As per F.I.R., she was married to the petitioner in the year 2013. After two or three years of the marriage, the petitioner, who is a Truck Driver, subjected her to atrocities and demanded 2 Katthas of land to be transferred in his name. The in-laws were also assisting the petitioner. Due to non-fulfillment of the demand, she was ousted from her matrimonial house. The petitioner also threatened her to solemnize his second marriage.

For an amicable settlement, the matter was referred to the District Mediation Centre, Muzaffarpur. The order-sheets of the mediation process has been annexed with the records, which shows that the learned Mediator took effort for one time settlement of the dispute between both the parties but it could not be successful.

As informed by the parties, a case for maintenance is also pending.

The learned advocate for the petitioner has submitted that till the pendency of the maintenance case,



the petitioner is ready to pay Rs. 2,000/- per month to the informant.

The amount of Rs. 2,000/- appears to be too meagre.

The petitioner is directed to make a payment of Rs. 3,000/- per month to the victim till the disposal of the maintenance case.

With the aforesaid observation, the petitioner above-named, in the event of his arrest or surrender within a period of four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sri Mahendra Mishra, Judicial Magistrate 1st Class, Muzaffarpur, in connection with Deoria P. S. Case No. 169 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The application stands allowed, accordingly.

Office shall ensure that all the defects are removed by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to



the notice of this Court.

The learned court below shall be at liberty to cancel the bail-bonds, if the petitioner fails to make payment of the above-mentioned amount.

(Nawneet Kumar Pandey, J)

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