

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47978 of 2023

Arising Out of PS. Case No.-31 Year-2020 Thana- MAHILA PS District- East Champaran

Ranjan Sahani, Son of Ikbal Sahani, Resident of Village- Damovit Tola, P.S.-
Harsidhi, District- East Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. Neha Devi, Daughter of Manoj Sahani, Resident of Village- Matlohiyar,
P.S.- Harsidhi, District- East Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Dhannjay Kumar No 2, Advocate
For the State	:	Mr. Akhileshwar Dayal, APP
For the O.P. No. 2	:	Mr. Sanjay Kumar Tiwari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 06-12-2023 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the O.P. No. 2.

2. The petitioner in this case is seeking pre-arrest bail in connection with Motihari Mahila P.S. Case No. 31 of 2020 registered for the offence punishable under Sections 498A, 494, 341, 406/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act. He has no criminal antecedent.

3. As per the prosecution story, on 27.04.2018 the informant was married to this petitioner and at the time of marriage, the informant's parents had given gifts according to their capacity. When the informant got pregnant and her husband came to know that it is a girl child, he started making pressure to abort the child. When the informant denied, the

petitioner and his family members started torturing her and demanded Rs.1,00,000/-. Lastly, the petitioner ousted the informant from her matrimonial house after taking away all her belongings.

4. Learned counsel for the petitioner submits that both the parties have separated after Panchayati and thereafter both of them have remarried.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the uncontroverted submission of learned counsel for the petitioner that both the parties have separated after Panchayati and thereafter both of them have remarried, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named shall be released on bail in connection with Motihari Mahila P.S. Case No. 31 of 2020 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 Chief Judicial Magistrate-V, Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall

verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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