

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26756 of 2024

Arising Out of PS. Case No.-1784 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Umesh Sahni @ Umesh Chaudhary Son of Dhorai Sahni Resident of Village-
Math Lohiyar Malahi Tola, P.S.- Harsidhi, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kusum Devi Wife of Umesh Sahni @ Umesh Chaudhary, Daughter of
Sakichandra Sah Resident of Village- Math Lohiyar Malahi Tola, P.S.-
Harsidhi, District- East Champaran, Presently Resident of Village- Pipra,
P.S.- Sakhuawa Dhamaura, Dist.- Rauthat (Nepal)

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Ajay Kumar Singh, Advocate
For the State	:	Ms. Asha Kumari, APP
For Opposite Party No.2	:	N o n e

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 20-08-2024 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. Despite valid service of notice, nobody appears on
behalf of the Opposite Party No. 2.

3. The petitioner apprehends arrest in a complaint
case registered for the offences punishable under Sections 406
and 498A of the Indian Penal Code and Sections 3 and 4 of the
Dowry Prohibition Act.

4. As per prosecution case, the complainant was
married to this petitioner in the year 2015 as per Hindu rites and
customs and after two years of marriage, all the accused



persons, including this petitioner, demanded Rs. 2,00,000/-, a bullet motorcycle and a fridge as dowry and on refusal, they tortured the complainant physically and mentally and thereafter, ousted her from her matrimonial house after snatching her ornaments.

5. It is submitted on behalf of petitioner that petitioner is quite innocent and has falsely been implicated in this case. Petitioner never got married to the complainant/Opposite Party No. 2. As a matter of fact, the complainant got married to one Megu Hazra and she is residing with her husband and out of the wedlock, she has also been blessed with two children and only with a view to harass and humiliate the petitioner and extort money, this false and concocted case has been lodged. Petitioner claims clean antecedents.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of petitioner.

7. Considering the aforesaid facts and circumstances, the prayer for grant of anticipatory bail to the petitioner is allowed.

8. Accordingly, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged 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 C.J.M., East Champaran, Motihari, in connection with Complaint Case No. 1784 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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