

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29555 of 2024

Arising Out of PS. Case No.-3569 Year-2019 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Shardanand Sahani @ Shardanand @ Sharghanand Son of Satya Narayan
Sahani Resident of Village- Arda Tole Darhara, Ps- Hajipur Sadar, Dist-
Vaishali, P/A- Noida City, Ps- Sector 63, Dist- Noida, Up

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishna Devi Wife of Shardanand Sahani @ Shardanand Resident of
Village- Arda Tole Darhara, Ps- Hajipur Sadar, Dist- Vaishali, P/A- Jagai
Majhauri, Ps- Bochaha, Dist- Muzaffarur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ravish Mishra, Advocate
For the Opposite Party/s	:	Mr. Khurshid Anwar, APP
For the Complainant	:	Mr. Satya Prakash Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 12-05-2025 Heard Mr. Ravish Mishra, learned counsel for the

petitioner, Mr. Satya Prakash Sinha, learned counsel appearing

on behalf of the complainant as well as Mr. Khurshid Anwar,

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 3569 of 2019 for the
offences punishable under Section 498 (A) of the Indian Penal
Code.

3. According to prosecution case, this petitioner along
with his family members tortured the complainant due to non-
fulfillment of demand of dowry and also ousted her from her



matrimonial house.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that he is husband of the complainant. He further submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offences as alleged in the complaint. In fact, the marriage of the petitioner was solemnized with the complainant on 07.06.2007 and due to some dispute the petitioner has filed the Matrimonial (divorce) Case No. 302 of 2019 on 27.08.2019 against the complainant and the learned Court below has issued notice upon complainant on 18.09.2019 and after issuance of notice the complainant has filed the present complaint petition on 10.12.2019 which suggest that after knowing about the aforesaid divorce case, the complainant has filed the present case only to harass the petitioner. Apart from that she had appeared in the aforesaid case on 14.02.2020. He further submits that the petitioner has filed his written statement on 11.01.2021 and the case is pending for adjudication before the competent Court of law.

5. Learned counsel appearing on behalf of the complainant as well as learned Additional Public Prosecutor



have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the complainant has filed the present case in retaliation of the divorce case filed by the petitioner, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the 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 the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. 3569 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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.

(Rajesh Kumar Verma, J)

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