

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28259 of 2025

Arising Out of PS. Case No.-1739 Year-2015 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

Bindeshwar Sahni S/o- Son of Late Yadu Sahni Village- Belari Ps- Ujiyarpur
Dist- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bharti Devi W/o- Bindeshwar Sahni Village- Belari Ps- Ujiyarpur Dist-
Samastipur, A/P- Ghoghraha Ps- Chakmehshi Dist- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Hussamuddin Azad, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-09-2025 Heard learned counsel for the petitioner and the State.
Despite valid service of notice, nobody appears for opposite
party no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 323, 354, 379, 498A,
504 and 34 of the Indian Penal Code and sections 3 & 4 of the
Dowry Prohibition Act.

3. As per the prosecution case, petitioner was married to
opposite party no.2 in 2003. After sometime, petitioner and his
family members started demanding a motorcycle and Rs.
50,000/- as dowry and on non-fulfilment of demand of dowry,
accused persons committed torture on opposite party no.2 and
ousted her from the matrimonial house.

4. Learned counsel appearing for the petitioner while
denying the allegations, submits that the petitioner has falsely
been implicated in this case because he is husband of the



victim. Out of the wedlock, petitioner has three children who are living with him. However, petitioner is ready to keep the victim in matrimonial house with honour and dignity. Learned counsel submits that the case is triable by the Magistrate. Petitioner has relied upon judgment of this Court, passed in case of **Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar**, reported in **2006(3) PLJR 182**.

5. Considering the aforesaid facts and circumstances of the case as also the judgment of this Court, in the event of arrest or surrender within eight weeks from today, let this petitioner, as named above, 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 the Sub Divisional Judicial Magistrate, Samastipur in CR No. 1739 of 2015, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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