

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1494 of 2026

Arising Out of PS. Case No.-34 Year-2024 Thana- MAHILA PS District- East Champaran

Amresh Sahani @ Jeevan Sahani @ Amresh Kumar @ Jivan Sahani S/O
Jitendra Sahani, Resident of village- Lalbegiya, P.S.- Chiraiya, Dist.- East
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Manita Devi D/O Sheopujan Sahani @ Shivkumar Sahani Resident of
village- Jhitkahiya, P.S.- Lakhaura, Dist.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsha Shashwat, Advocate

For the Opposite Party/s : Ms. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in
connection with Mahila P.S. Case No. 34 of 2024 dated
28.09.2024, registered for the offences punishable under
Sections 126(2), 115(2), 118(1), 109 and 85 read with Section
3(5) of the B.N.S., 2023 and Sections 3 and 4 of D.P. Act.

3. As per the prosecution case, in the background of
matrimonial dispute, the petitioner who is the husband of the
informant assaulted her with *dab* causing injuries on her head.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner has falsely been implicated in



the present case. There is no injury report on record and it shows the allegation of assault is false and concocted. The petitioner never demanded any dowry nor treated the informant with cruelty. Informant voluntarily left the association of the petitioner and started living with her parents. Petitioner is a bus driver and is a victim of false implication. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 25.08.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner and submits that in the background of non-fulfillment of demand of dowry, petitioner assaulted the informant with *dab*.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the relationship of the parties and the nature of allegation and further considering the clean antecedent of the petitioner, his period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Motihari, East Champaran



/ concerned Court, in connection with **Mahila P.S. Case No. 34 of 2024**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.*
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.*
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.*

(Arun Kumar Jha, J)

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