

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27079 of 2014**

Arising Out of PS.Case No. -302 Year- 2013 Thana -TAJPUR District- SAMASTIPUR

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Dev Narayan Sahani @ Deve Narayan Sahani

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Surya Narayan Roy

For the Opposite Party/s : Mr. Gajendra Pd.Yadav(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
ORAL ORDER

3      12-01-2015                      Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

Petitioner being husband of the deceased is in jail  
custody since 25 .12.2013 in a case registered under section 304B,  
201/34 of the Indian Penal Code.

The contention on behalf of the petitioner is that the  
informant gave a petition before the Chief Judicial Magistrate,  
Samastipur mentioning therein that she lodged the case under  
misconception and on the basis of wrong information.

Taking note of the aforesaid facts and circumstances as  
well as submissions of the parties, this petition stands rejected.  
However, petitioner may renew his prayer for bail before the  
learned trial court itself after examination of the informant as  
prosecution witness and if petitioner does so and it is found by the

trial court that the informant does not support the prosecution case,  
the petitioner should be released on bail fixing the amount by the  
court below itself.

**(Hemant Kumar Srivastava, J)**

Namita/-

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