

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17572 of 2016

Arising Out of PS.Case No. -48 Year- 2010 Thana -HATHAURI District- MUZAFFARPUR

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SANJAY SAHNI, son of Buchkun Sahani, resident of village - Simari
Basant, P.S. - Hathauri, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash, Advocate

For the Opposite Party/s : Mr. Ashok Kr.Singh (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 29-06-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner, husband of the deceased Sunita Devi
apprehends arrest in connection with Hathauri P.S. Case No.
48/10 for offences alleged under Sections 304-B, 201/34 of the
Indian Penal Code.

The prosecution case, as lodged by the
informant, is that he married his daughter with petitioner three
years back and gave gifts according to his capacity. After two
years petitioner and his family members started demanding a
she-buffalo and a bicycle from his daughter and on non-
fulfilment of demand they used to assault her. It is further
alleged that on 19.03.2010 petitioner and other in-laws
poisoned her due to which she died and her dead body was

disposed of.

It has been submitted by the learned counsel for the petitioner that he is quite innocent, has committed no offence and that there is general and omnibus allegation against all the family members including the petitioner. He submits that no demand of dowry was ever made by the petitioner and that the First Information Report has been lodged after inordinate delay, as the date of occurrence has been stated to be 19.03.2010 whereas First Information Report has been lodged on 22.03.2010 and the delay has not been explained by the prosecution. He further submits that some of the co-accused, against whom similar allegation has been levelled, have since been granted the privilege of anticipatory bail by this Court.

Learned APP for the State, however, submits that the petitioner is named in the First Information Report, hence, opposed the prayer for bail.

Be that as it may, since the allegation being general and omnibus, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, 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 learned Chief Judicial



Magistrate, Muzaffarpur, in connection with Hathauri P.S. Case
No. 48/10, subject to the conditions as laid down under Section
438(2) Cr.P.C.

Rajesh/-

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(Nilu Agrawal, J.)