

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34734 of 2017

Arising Out of PS.Case No. -223 Year- 2016 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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1. Ashok Sahani Son of Thakuri Sahani, Resident of Village- Bilanpur,
P.S.- Lalganj, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar

For the Opposite Party/s : Mr. Sri Parmanand Prasad

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 11-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
07.01.2017 in connection with Lalganj P.S. Case No. 223 of 2016
for offences punishable under Sections 302, 201/34 of the Indian
Penal Code.

The prosecution case as lodged by the informant, is that
his sister Lalita Devi was married to the petitioner in the year 2002
and out of the wed-lock there are three children. The petitioner
along with his family members used to torture and assault his
deceased sister and has poisoned her to death and was trying to
dispose of the dead body.



It has been submitted by the learned counsel for the petitioner that he is innocent and being the husband, he has falsely been implicated in the aforesaid case. It has further been submitted that the independent witnesses have not supported the prosecution case rather, they have stated that after the fight with in-laws, deceased consumed poison and as such, Section 302 of the IPC is not made out. It is submitted that charge-sheet has already been submitted and there is no chance of tampering with the prosecution witnesses by the petitioner and that there are three children to be looked after by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Lalganj P.S. Case No. 223 of 2016 subject to the condition that one of the bailors would be a close relative of the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail



cancellation of his bail bonds.

(Nilu Agrawal, J)

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