

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51995 of 2016**

Arising Out of PS.Case No. -59 Year- 2014 Thana -ANDHRATHARI District- MADHUBANI

=====

1. Shankar Sahani, Son of Soti Lal Sahani, Resident of Village- Bhatsimar  
Niyamat Tole, P.S. Raj Nagar, District- Madhubani.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

=====

**Appearance :**

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Smt. Anita Kumari

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      26-04-2017                      Heard learned counsel for the petitioner and the  
  
State.

Petitioner being the husband of the sister of the  
informant is languishing in custody since 28.07.2016 in  
connection with Andhara Thadhi P.S. Case No.59/2014,  
registered for the offences punishable under Sections 304B,  
201/34 of the Indian Penal Code, pending before the learned  
Judicial Magistrate, 1<sup>st</sup> Class, Jhanjharpur, Madhubani.

Prosecution case is that the sister of the informant  
Aarti Devi was married with the petitioner on 18.05.2012, but she  
was killed on 14.11.2014 for non-fulfillment of dowry demand.  
The dead body of the victim was recovered from the orchard of  
one Pitamber Bhagat. On conclusion of investigation, the



chargesheet has been submitted under section 304B of the Indian Penal Code. The medical report suggests the cause of death due to asphyxia caused by strangulation.

It is submitted by the learned counsel for the petitioner that the victim has some illicit relationship with one Jaivir Sahani. It is further submitted that the informant has retracted from the initial version and has filed a petition to that effect before the learned Court below.

Considering the fact that the thrust of accusation is against the petitioner being husband of the victim, sister of the informant and has surrendered after three years of registration of the FIR, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

Ashwini/-

**(Dinesh Kumar Singh, J)**

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

