

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68913 of 2018

Arising Out of PS. Case No.-148 Year-2017 Thana- KHANPURA District- Samastipur

Hari Kishun Sahni, Son of Upendra Sahni @ O.P. Sahni, Resident of Village-
Amsaur Khajuria Tola Khanpur, P.S. Khanpur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 05-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Khanpur P.S. Case No. 148 of 2017 registered for the offence punishable under Sections 120(B), 201, 304(B)/34 of the Indian Penal Code.

Informant is the mother of deceased, who lodged a complaint petition before the S.D.J.M., Samastipur, which was subsequently referred to the police under Section 156(3) of the Cr.P.C. giving rise to police case in which it has been alleged that on account of non-fulfillment of demand of dowry her daughter was killed by accused as named in complaint petition.

It has been submitted on behalf of the petitioner that a male child was born to deceased and she died of complications arising out of



delivery after two months. Informant and her family members were present at the time of cremation and after 12 days of occurrence, present complaint petition has been filed on false and concocted terms.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon 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, Samastipur, in connection with Khanpur P.S. Case No. 148 of 2017 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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