

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21882 of 2018

Arising Out of PS.Case No. -157 Year- 2016 Thana -UJIYARPUR
District- SAMASTIPUR

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Mantun Sahni S/o Laldeo Sahni, R/o vill.- Chandauli, P.S.-
Ujiarpur, District- Samastipur Petitioner

Versus

1. The State of Bihar.
2. Chandramandi Sahni S/o Late Hira Sahni, R/o village- Boro,
P.S.- Barauni, District- Begusarai Opposite Parties

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Appearance :

For the Petitioner : Mr. Choudhary Shyam Nandan, dvocate
For the State : Mr. Rajendra Singh Shastriji, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH
PRASAD**

ORAL ORDER

4 22-05-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner is an accused in a case registered for offence
under sections 304B/34 IPC.

Learned counsel for the petitioner submits that the FIR
has been lodged three days after the death and other than
presumption in law there is nothing in this case inasmuch as the
victim was being treated as she could not bear child which is
evident from Annexure 2. The informant, father of the girl has also
filed a petition before the court below (Annexure 3), wherein he
has specifically averred that out of frustration due to the fact that



she could not bear child, she committed suicide and that the FIR has been lodged under misconception. Petitioner is in custody in connection with this case since 23.12.2017. Prior to lodging of this case, petitioner is a man of clean antecedent.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Dalsinghsarai in Ujiarpur Police Station Case No. 157 of 2016, GR No. 668 of 2016, Reg.No.611/2016 on the following conditions :-

(a) One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner.

(b) He/she will be well represented on each date and if he/she fails to do so on two consecutive dates, his/her bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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