

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51777 of 2018**

Arising Out of PS.Case No. -92 Year- 2016 Thana -MADHUBAN District- EASTCHAMPARAN  
(MOTIHARI)

=====

Birendra Sahani, S/o Baldeo Sahani, R/o Vill.- Mojahida, Hari Narayanpur,  
P.S.- Madhuban, District- East Champaran.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN**  
**PRASAD**  
ORAL ORDER

2      20-09-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner, in the present case, is seeking regular  
bail in connection with Madhuban P.S. Case No. 92 of 2016,  
registered for offences alleged under Sections 304(B), 201/34 of  
the Indian Penal Code and Section 3/4 of the Dowry Prohibition  
Act.

Learned counsel for the petitioner submits that this  
petitioner happens to be the elder brother-in-law of the deceased.  
The petitioner is living separately and has got no connection with  
the family of his younger brother, however, he has been framed in  
this case along with the other family members. It is pointed out



that in Cr.Misc.No.60255 of 2017, a learned coordinate Bench of this Court has been pleased to grant regular bail to the father-in-law and the younger brother-in-law of the deceased.

Learned APP for the State is present and has opposed the prayer for bail submitting that there are allegations against the petitioner as well.

Having heard learned counsel for the parties and on perusal of the records, this Court is of the opinion that at this stage the petitioner being elder brother-in-law may be released on bail as similar benefit has already been granted to the father-in-law and the younger brother-in-law. Let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, East Champaran, Motihari in connection with Madhuban P.S. Case No. 92 of 2016, subject to the conditions U/S 437(3) Cr.P.C.

**(Rajeev Ranjan Prasad, J)**

Arvind/-

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