

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35346 of 2019

Arising Out of PS. Case No.-330 Year-2017 Thana- GHORASAHAN District- East
Champaran

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DHANANJAY LAHERI @ DHANANJAY SAH Son of Ram Gulam Sah
Laheri Resident of Village-Bisunpur Laheri Tola, P.S-Ghorasahan
(Jharokhar), District-East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 09-08-2019 Heard learned counsel for the petitioner, informant
and the learned APP for the State.

The petitioner seeks bail in Ghorasahan (Jharokhar)
P.S. case no. 330 of 2017 instituted for the offence under
Section(s) 304B/34 of the Indian Penal Code. Later on Sections
498A, 365, 364 and 120B of the IPC was added.

Petitioner is husband of the deceased.

In the written report, it is alleged that daughter of
informant was married with this petitioner in the year 2015. She
has remained peacefully in her *sasural* for one year and
thereafter, it is alleged that daughter of informant was killed
by petitioner and his family members for performing second
marriage of petitioner and when the informant got knowledge



on 27.6.2017, she came to *sasural* of her daughter where she could not find her daughter and, on query, co-accused Ram Gulam and other family members abused and told her to go from there. The informant has raised suspicion that petitioner along with his family members might have killed her daughter and thrown her dead body.

Case diary has been received.

Learned APP, after looking into the case diary, submits that the statement of the witnesses has been recorded in paragraph nos. 6,7,18,19,20, 27 and 28 of the case diary, wherein, they have stated that they have seen Guriya Kumari going outside the house speaking that she is going to her *Maika*. The victim is still trace less.

Learned counsel for the informant has appeared and opposed the prayer for bail. He submits that petitioner is husband. He has not filed any *Sanha* regarding disappearance of his wife. The wife is still traceless. The petitioner has not tried to ascertain whereabouts of his wife.

In such circumstances, serious presumption is against this petitioner of getting his wife disappeared from the house. He did not make any efforts to ascertain whereabouts of his wife.



The police has submitted charge sheet under Sections 498A, 364, 365 and 120 B of IPC against the petitioner and other family members.

Therefore, this Court is not inclined to grant bail to the petitioner at this stage. The prayer for bail of the petitioner stands rejected at this stage.

Trial Court is directed to expedite the trial.

(Sanjay Priya, J)

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