

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79283 of 2018

Arising Out of PS. Case No.-84 Year-2016 Thana- KARJA District- Muzaffarpur

Yashwant Sahani Son of Loha Sahani @ Vishwanath Sahani Resident of
Village- Narhar Sarai, Police Station- Karja, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 15-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offence punishable under Section 302/34 of the Indian Penal
Code.

Allegation is that the petitioner and other family
members committed murder of the wife of the petitioner by
burning her.

Submission is that there is no allegation of any
demand; rather specific case of the informant, who is not an
eyewitness of the occurrence, is that the petitioner came in a
drunken condition and assaulted to his wife and thereafter one
of the family members put her in fire.



Submission is that there is no eyewitness of the occurrence. The petitioner is in custody since 21.05.2018. Due to some family dispute the victim might have committed suicide.

Considering the fact that there is no direct evidence of murder against the petitioner nor there is presumption of dowry death in the facts and circumstances of this case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Karja P.S. Case No.84 of 2016, with condition that petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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