

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21412 of 2020

Arising Out of PS. Case No.-288 Year-2018 Thana- MUSAHARI District- Muzaffarpur

DEEPAK SAHNI Son of Upendra Sahni, Resident of Village- Rohua Apuchh,
P.S.- Musahri, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh, Adv.
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-09-2020 Heard both sides through Video Conferencing.

Petitioner seeks bail in Mushahri P.S. Case No.288 of
2018 registered under Sections 304 (B) and 34 of the IPC.

The informant alleged that he married his sister
Priyanka Devi in the year 2017 with Deepak Sahni (petitioner).
His sister lived happily for three months in her sasural but
thereafter her husband and other in-laws started demanding of a
motorcycle and Rs.50,000/-. On account of non-payment of
additional demand of dowry, his sister was burnt to death on
20.12.2018.

Learned counsel for the petitioner submits that the
petitioner is the husband of the deceased. The deceased was
suffering from mental illness and she committed suicide. The
doctor found the cause of death due to Asphyxia as a result of



ante mortem hanging and this fact itself shows that nobody strangled the deceased rather the deceased herself committed suicide. It is further submitted that the informant had entered into a compromise and the same is annexed as Annexure 4 to this petition. The petitioner is in jail since 07.01.2019 but till date no prosecution witnesses has been examined.

Perused the records. It appears that within two years of marriage of the deceased, the deceased was done to death in her sasural and she was taken to cremation place without any information but the informant informed the police and the dead body of the deceased was recovered from the cremation place. The deceased died due to asphyxia as a result of ante mortem hanging.

Having considered the facts and the nature of allegations made against the petitioner and the fact that the petitioner is the husband of the deceased, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within six months from the date of receipt of a copy of this order. If the trial is not concluded within six months, the petitioner, if so advised, may renew his prayer for bail.



The Superintendent of Police, Muzaffarpur is directed to ensure the presence of prosecution witnesses so that the trial must be concluded within six months.

Let a copy of this order be sent to the trial court as well as the Superintendent of Police, Muzaffarpur for information and needful.

(Prabhat Kumar Jha, J)

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