

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28891 of 2020

Arising Out of PS. Case No.-108 Year-2019 Thana- PIPRAKOTHI District- East Champaran

MOTILAL SAHANI S/o Late Narayan Sahani Resident of Village-Majhariya,
P.S.-Piprakothi, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Piprakothi P.S. Case No. 108 of 2019, registered for the offence punishable under Sections 304B and 34 of the Indian Penal Code, 1860.

The allegation is regarding the accused persons having killed the daughter of the



informant by strangulating her on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 24.11.2019. It is further submitted that the petitioner is the father-in-law of the deceased victim lady and in fact, the mother-in-law of the deceased victim lady has already been granted bail by a coordinate Bench of this Court vide order dated 03.03.2020 passed in Criminal Miscellaneous No. 15361 of 2020. Lastly, it is submitted that no prejudice would be caused to the prosecution in case the petitioner is granted bail, inasmuch as the husband of the deceased victim lady is in custody.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the parity of the case of the petitioner



with that of the co-accused person, who has already been granted bail by a coordinate Bench of this Court, apart from the fact that the husband of the deceased victim lady is already behind bars, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Piprakothi P.S. Case No. 108 of 2019.

(Mohit Kumar Shah, J)

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