

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11696 of 2021**

Arising Out of PS. Case No.-241 Year-2020 Thana- POTHYA District- Kishanganj

1. CHANDAN SAHANI S/o Mohan Sahani R/o village- Kok Pool Sarogoda, P.S.- Pothia, District- Kishanganj (Bihar)
2. Mohan Sahani S/o Late Chalitra Sahani R/o village- Kok Pool Sarogoda, P.S.- Pothia, District- Kishanganj (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhitabh Kumar, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

4 23-08-2021 By order dated 08.04.2021, the prayer for anticipatory bail of petitioner No.2 has already been allowed.

Heard learned counsel for the petitioner No.1 and learned APP for the State through virtual mode.

The petitioner No.1, namely, Chandan Sahani is apprehending his arrest in connection with Pothia P.S. case No.241 of 2020 registered under Sections 304(B)/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioner No.1 caused death of the sister of the informant due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner No.1 that the petitioner No.1 has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner



No.1. The petitioner No.1 has falsely been implicated in this case. From perusal of the postmortem report, it appears that there was no external injury on the body of the deceased. The witnesses in paragraph Nos.13 and 14 of the case diary have stated that the deceased died due to illness.

On behalf of the State, it is submitted that the petitioner No.1 is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner No.1, namely, Chandan Sahani, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned A.C.J.M. 1st, Kishanganj in connection with Pothia P.S. case No.241/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner No.1 shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

Narendra/-

(Sudhir Singh, J)

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