

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6146 of 2021

Arising Out of PS. Case No.-118 Year-2020 Thana- PAHARPUR District- East Champaran

KEDAR SAH Son of Late Bhikhari Sah Resident of Village- Sakin-
Ekderawa, P.S.- Paharpur, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Adv. Ms.Preety Kunwar
For the Opposite Party/s :		Mr.A.L. Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-04-2021 Heard learned Senior Counsel for the petitioner and

learned Additional Public Prosecutor for the State, through

Video Conferencing.

The petitioner seeks regular bail in connection with
Paharpur Police Station Case No. 118 of 2020, registered for the
offences punishable under Sections 304-B/201/34 of the Indian
Penal Code.

The allegation, as per the First Information Report, is
that the marriage of the niece of the informant (now, deceased)
was solemnized with the younger brother of the petitioner in the
year 2016 and after sometime, the husband of the deceased,
along with his first wife, started committing cruelty and
demanded a sum of Rs. 1,00,000/- as dowry and due to non-



fulfillment of the said demand, the niece of the informant was killed by the petitioner and others.

Learned Senior Counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive and he has not committed any offence in the manner alleged. He next submits that the marriage of the deceased was performed with the brother of the petitioner and the deceased was his second wife inasmuch as the first wife of the brother of the petitioner was issueless. He next submits that the deceased was widow, having one daughter from her first husband and there was some dispute amongst them and the petitioner was having no concern with the family affairs of his brother, his first wife and/or the deceased. He next submits that the petitioner was separate in mess with his brother and was having his own agricultural land and was also living separately from him. He further submits that from perusal of the First Information Report, it would be evident that no overt act has been alleged against the petitioner and the petitioner is in custody since 06.09.2020.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the nature of allegation, I am inclined to grant regular bail to the petitioner.



This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, at Motihari, in connection with Paharpur Police Station Case No. 118 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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