

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10940 of 2022

Arising Out of PS. Case No.-451 Year-2021 Thana- KUDHNI District- Muzaffarpur

SHYAM LAL SAHANI Son of Late Ramashray Sahani Resident of Village-
Kudhani Tola, Police Station- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalita Devi W/o Ramesh Sahani Resident of Village- Krampur, Bochahan,
P.S.- Bochahan, District- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachin Kumar

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-08-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Kudhani
P.S. Case No. 451 of 2021 registered for the offence under
Sections 304(B), 201 and 34 of the Indian Penal Code.

The daughter of the informant is subjected to severe
assault by means of iron rod on account of non-fulfillment of
demand of dowry made by the petitioner and his associates and
finally she has been done to death and her dead body is said to
have been disappeared.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent and has falsely been



implicated in this case. He further submits that the petitioner is father-in-law of the deceased and there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that as a matter of fact the husband of the deceased has already been taken into judicial custody and the petitioner is in custody since 11.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kudhani P.S. Case No. 451 of 2021 to the satisfaction of the Court of learned Additional Chief Judicial Magistrate 1st (West) Muzzafarpur with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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