

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22119 of 2022

Arising Out of PS. Case No.-188 Year-2018 Thana- RAMGARHWA District- East
Champaran

=====

SUNIL SAHNAI Son of Paras Sahani Resident of Village - Nandlali Sihasani,
P.s.- Ramgarhwa, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms.Rashmi Jha
For the Opposite Party/s : Mr.Suresh Pd. Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the

offences punishable under Sections 304B, 120B and 201 of the

Indian Penal Code.

As per allegation, informant's daughter was married to

petitioner in the year 2017 and thereafter accused persons including

the petitioner subjected the victim to cruelty for demand of

motorcycle and after marriage informant's mother was not allowed to

meet the victim whenever she attempted to meet her and thereafter

Ramgarhwa P.S. Case no. 161/2017 was lodged and after that

informant got the information that his daughter has been murdered



and her dead body has been thrown in flood area.

The main submissions advanced by the learned counsel for the petitioner are that the informant earlier lodged Ramgarhwa P.S. Case no. 161/2017 under sections 363, 365 IPC with allegation that her daughter had been disappeared by the petitioner and his family members and petitioner preferred Cr. Misc. no. 23065/2018 in which petitioner was granted bail and after lodging Ramgarhwa P.S. Case no. 161/2017 there has been no new development but the complainant has again filed the present case with an allegation of offence of dowry death having been committed by the petitioner with regard to complainant's daughter but in the present case, complainant has simply raised suspicion and in totality allegation made in the present case is almost similar to the allegation made earlier. The victim is still traceless, in fact she had gone somewhere on account of her love affairs.

Learned APP has opposed the prayer for bail.

In view of above submissions and considering petitioner's custody period and also the fact that in Ramgarhwa P.S. Case no. 161/2017 lodged by the informant of this case with regard to missing of her daughter petitioner who was the main accused in that case has been considered for regular bail by a coordinate bench of this court vide order passed in the above mentioned miscellaneous case and in the present case which is based on complaint, complainant has only raised suspicion that her daughter has been killed and her dead body



has been thrown in flood area and prosecution case is mainly based on suspicion and in respect of allegation of disappearance of the victim petitioner has got bail in connection with other case which was lodged by the same informant, in my view, in light of these facts, petitioner deserves a lenient approach of this court.

Accordingly, petitioner is directed to 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 the Sub divisional Judicial Magistrate, Raxaul, East Champaran in Ramgarhwa P.S. Case no. 188/2018.

(Shailendra Singh, J)

s.hassan/-

U		T	
---	--	---	--

