

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32435 of 2021

Arising Out of PS. Case No.-68 Year-2020 Thana- DHANAHAN District- West Champaran

Harilal Shahani S/o Gauri Sahani Resident of Village- Shamsherwa, P.S.-
Dhanaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey
For the Opposite Party/s	:	Mr. Syed Mojibur Rahman, A.P.P.
For the Informant	:	Mr. Zainul Abedin, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 14-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in Virtual Court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Dhanaha P.S.
Case No. 68 of 2020 registered for the offences punishable
under Sections 304B/34 of the Indian Penal Code.

According to prosecution case, on the basis of written
report of the informant is that his sister was married in the year
2017 according to Hindu rites and custom and she was pregnant
of 7 months. After her marriage, her husband namely Harilal



Sahani was harassing her with his father Gauri Sahani, brother Munna Sahani, Maternal cousin Rudas Sahani for dowry, for which panchayati had held before one and half years. Informant stated that, his sister was subjected to harassment for demand of Rs.1,00,000/- and one motorcycle, which his sister denied that his sister has been killed by hanging.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and only on the basis of suspicion the present F.I.R. is instituted. He further submits that deceased has committed suicide by hanging herself in a room which was closed from inside. The petitioner is in custody since 16.09.2020.

The learned Additional Public Prosecutor vehemently opposed the prayer for bail, submitting that it has not come in the case diary that the deceased who was found hanged in a room which was closed from the inside.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 learned Judicial Magistrate, 1st Class, Bagaha, West Champaran in connection with Dhanaha P.S. Case No. 68 of 2020, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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