

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36388 of 2021

Arising Out of PS. Case No.-367 Year-2020 Thana- GHORASAHAN District- East
Champaran

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ARVIND SAHANI Son of Methu Sahani Resident of Village - Pithwa Math,
P.S.- Jarokhar (Ghorasahan), District - East Champaran.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner	:	Mr. Krishna Kant Singh, Advocate.
For the State	:	Mr. Bharat Lal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 06-01-2022 The applicant/accused in Crime No.367 of 2020 registered with Police Station-Ghorasahan (Jharokhar) for the offence punishable under Section 304(B) read with Section 34 of the Indian Penal Code, by this application is seeking his release on bail during the pendency of the trial.

Learned counsel appearing for the applicant submits that the allegations against the applicant are omnibus in nature and after undergoing pretrial detention of one year and four months the applicant deserves bail.

Learned A.P.P. opposed the application by contending that the offence is that of dowry death.

I have considered the submissions so advanced and also perused the materials placed before me.



Jitendra Sahani who happens to be the brother of the deceased Lalchun Devi lodged the F.I.R. on 14.09.2020. Lalchun Devi died unnatural death on 13.09.2020 at her matrimonial house. Cause of her death is asphyxia due to strangulation. It is averred by the prosecution that after marriage, accused persons were subjecting the deceased to cruelty for and on account of dowry.

The investigation of the crime in question is already over. The applicant is reportedly behind the bars for more than one year and four months. Hence I see no reason to deny bail to the applicant. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.367 of 2020 registered with Police Station-Ghorasahan (Jharokhar) for the offence punishable under Section 304(B) read with Section 34 of the Indian Penal Code, be released on bail on executing P.R. bond of Rs.10000/-(Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him



from disclosing such facts to the Court or to any police officer.

(II). The applicant should cooperate the trial in expeditious disposal of the trial against him.

(III). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

P.S./-

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