

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39713 of 2021

Arising Out of PS. Case No.-129 Year-2020 Thana- MAHESI District- East Champaran

NAND KISHORE SAHANI Son of Late Mahadeo Sahani Resident of Village
- Ujhil Pur, P.S. - Mehasi, District - East Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mrs. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 12-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Mehasi P.S. Case No. 129 of 2020, for the offence punishable
under Sections 304(B) and 201/34 of the Indian Penal Code.

The prosecution case, in brief, is that the daughter of
informant Kanchan Kumari was married to Achhelal Sahani in
the year, 2016 according to Hindu rituals and customs, but, soon
after the marriage, the petitioner along with others subjected her
to cruelty for dowry demand and later on informant got
information that her daughter has been killed by her husband
and in-laws due to non-fulfillment of demand of dowry.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is father-in-law of deceased and he used to reside separately from his son and he has no connection with the affairs of the said matrimonial relationship between the husband and deceased. The petitioner is in custody since 14.01.2021 and there is no allegation of tampering the evidence or influencing the witnesses.

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

Taking into consideration the nature of allegation made against the petitioner as well as from perusal of the case diary, it appears that in course of investigation material has come that the house of the petitioner was raided as would appear from paragraph Nos. 50 and 56 of the case diary. The submission of the petitioner to the effect that petitioner is living separately, prima facie is substantiated from the said fact. There is no allegation of tampering the evidence or influencing the witnesses, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-V, Motihari, East Champaran in connection with Sessions Trial No. 304 of 2021, arising out of Mehasi P.S. Case No. 129 of 2020,



subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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