

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50509 of 2021**

Arising Out of PS. Case No.-219 Year-2019 Thana- CHAUTHAM District- Khagaria

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AMIT SAHNI S/o FULEN SAHNI R/o VILLAGE-SONBARSAGHAT, P.S.-
CHAUTHAM, DISTRICT-KHAGARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 10-05-2022 Heard both sides.

Petitioner seeks regular bail in connection with
Chautham PS Case No. 219 of 2019 registered under Sections
304 (B) / 34 of the IPC.

The allegation against the petitioner is that within
three years of marriage he killed his wife by means of knife due
to non fulfillment of demand of dowry.

Learned counsel for the petitioner submits that from
perusal of the FIR it would be evident that on the exhortation of
the co-accused / Bijo Kumar Sahni the petitioner gave knife
blow near the neck of his wife on 15-09-2019 and she died on
20/09/2019 due to injuries sustained by her. Accordingly,
submission is that petitioner assaulted his wife in fit of rage
due to some scuffle which took place between them and it is



not a case of dowry death.

On the other hand, learned counsel for the State referring to the case diary submits that there is direct allegation against the petitioner and his family members that within seven years of marriage they started demanding dowry of Rs. 1 Lakh and due to non- fulfillment of demand the petitioner gave knife blow on the vital part of the body of the deceased due to which she died. There is direct allegation against the petitioner in the FIR and during course of investigation *prima facie* evidence has come against him connecting him with the present offence.

Regard being had to the submissions made by the parties, taking into consideration the nature of allegation, the fact that there is *prima facie* evidence against the petitioner that he stabbed his wife, as such, I am not inclined to grant regular bail to the petitioner.

The prayer for grant of regular bail is rejected.

However, the petitioner may renew his prayer for bail after one year from today if the trial does not show any progress.

praful/-

(Anil Kumar Sinha, J)

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