

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48798 of 2021**

Arising Out of PS. Case No.-121 Year-2021 Thana- BAIKUNTHPUR District- Gopalganj

Chhotelal Sahani Son of Late Bhagelu Sahani Resident of Village - Khaira
Ajam, P.S.- Baikunthpur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER**

5 06-07-2022 Let the defects, if any, be removed within four weeks
from today.

Heard Mr. Indrajeet Bhushan, learned counsel for the
petitioner as well as learned Additional Public Prosecutor for
the State.

The petitioner seeks bail in connection with
Baikunthpur P.S Case No.121 of 2021 registered for the
offences punishable under Sections 498A, 307/34 of the Indian
Penal Code.

As per prosecution case, it is alleged that the marriage
of the victim was solemnized in the year 2020 with Munna
Sahani. Just after marriage, the informant was subjected to
torture for demand of dowry and this petitioner happens to be
younger brother of her father-in-law used to render assistance to



the Sasural people in making demand of dowry. It is also alleged that 10 days before institution of the FIR all the family members poured kerosene oil and set her ablaze. It is also alleged that petitioner is one of the conspirator in causing burn to the victim.

It is submitted by the learned counsel for the petitioner that except the allegation that the petitioner used to render assistance in making demand of dowry, there is no specific allegation against him. It is also submitted that prior to institution of the present case, the husband of the deceased had instituted Baikunthpur P.S. Case No. 120 of 2021 for death of his mother and soon thereafter, this case has been instituted, though the alleged occurrence is said to have taken place 10-11 days prior to the institution of the present case but surprisingly, no complaint or FIR has been instituted in that period. It is also submitted that this petitioner is in custody since 20.04.2021, though the investigation of the crime has already been concluded and the charge sheet has been submitted.

On the other hand, learned APP for the State vehemently opposes the bail application of the petitioner and submits that there is specific allegation against this petitioner that he rendered assistance in making demand of dowry and the conspirator of causing death of the informant.



Having considered the submissions made on behalf of the parties and taking into consideration the petitioner is younger brother of father-in-law and there is no specific allegation against the petitioner and he is in custody since 20.04.2021, let the petitioner above named, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st class, Gopalganj in connection with Baikunthpur P.S.Case No.121 of 2021 with the following conditions:-

(i) One of the bailors should be the close relatives of the petitioners.

(ii) The petitioner will cooperate in the investigation as well as in conclusion of the trial.

(iii) He will not try to tamper with the evidence or intimidate the witnesses in course of investigation or during the course of trial.

(Harish Kumar, J)

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