

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41508 of 2022

Arising Out of PS. Case No.-39 Year-2022 Thana- AHIYAPUR District- Muzaffarpur

HARENDRA SAHANI Son of Yogendra Sahni Resident of Village - Vijay
Chhapra, P.s.- Ahiyapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Hari Kishore Thakur
For the Informant	:	Mr. Dr. Alok Kumar Alok,
	:	Mr. Ashok Kumar Verma
For the Opposite Party/s	:	Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-11-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Ahiyapur P.S. Case No. 39 of 2022 registered for the offences
punishable under Sections 304(B), 201 and 34 of the Indian
Penal Code.

As per prosecution case, petitioner and others
committed the murder of informant's daughter for non-
fulfillment of demand of dowry. It is further alleged that co-
accused persons tried to conceal the dead-body of the deceased.

Learned counsel for the petitioner submits that



petitioner is in custody since 26.05.2022. Petitioner bears no criminal antecedent. Learned counsel further submits that petitioner is innocent and has falsely been implicated in the present case being cousin father-in-law of the deceased. Petitioner is living separately from the husband of the deceased and he has no concern with the family affairs of the deceased. Nothing specific has been alleged against the petitioner. Allegations against the petitioner are general and omnibus in nature.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, keeping in view clean antecedent of the petitioner, argument advanced on behalf of the parties, petitioner having no say in the family affairs of the deceased and her husband as submitted and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 39 of 2022, subject to following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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