

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45921 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- KANGLI District- West Champaran

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RAMADHAR SAHANI SON OF LATE BASUDEV SAHANI (AS PER
F.I.R. 55 YEARS), R/O VILLAGE- SIDHWALIYA, P.S.- KANGALI,
DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 09-12-2022 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 Kangli

P.S. Case No. 40 of 2022 registered for the offences punishable

under Sections 304B/34 of the Indian Penal Code.

As per prosecution case, petitioner and others

concertedly committed the murder of the informant's daughter

for non fulfillment of demand of dowry. It is also alleged that

dead body of the informant's daughter was found in hanging

condition attached with the fan.

Learned counsel for the petitioner submits that



petitioner is in custody since 01.06.2022. Petitioner bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Petitioner is quite innocent and has not committed any offence as alleged against him in F.I.R.. He has been falsely implicated in the present case just because he is father-in-law of the deceased. Petitioner has no concern with the family affairs of the deceased as he is living separately from the deceased and her husband in mess and property. The allegation against the petitioner is general and omnibus in nature. There is no specific overt-act attributed against the petitioner.

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, period of custody, keeping in view clean antecedent of petitioner, petitioner has no concern with the family affairs of the deceased and he is living separately from the deceased and her husband in mess and property, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides 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 J.M. Ist Class, Bettiah, West Champaran in connection with Kangli P.S. Case No. 40 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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