

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60500 of 2021**

Arising Out of PS. Case No.-98 Year-2021 Thana- UJIYARPUR District- Samastipur

PARMESHWAR SAHANI Son of Ram Udgar Sahani Resident of Village -
Bhagwanpur Kamla, P.S.- Ujarpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Adv
For the Opposite Party/s : Mr.Anant Kumar 1,APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 13-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302,201,498(A),504,506/34 of the Indian Penal Code.

The prosecution case, in brief, is that on 07.04.2021, husband of the deceased namely Kishan Sahani, alongwith his whole family members ruthlessly murdered Suman Devi accusing her of bad character. Her husband, parent-in-law and Gotani used to harass her. The marriage of deceased was solemnized with the Kishan Sahni five years ago. After



receiving information of murder, informant and others came to the matrimonial home of deceased where they were abused. Suman was pregnant and her delivery was due after two weeks.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the petitioner is father-in-law of the deceased and he was not present at the time of occurrence. He further submits that it appears from the FIR that there is general and omnibus allegation and during investigation nothing has come against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 04.07.2021.

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

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ujiarpur Police Station Case No.98 of 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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