

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58995 of 2022

Arising Out of PS. Case No.-708 Year-2022 Thana- KHAGARIA District- Khagaria

Kailas Sahni @ Pradeep Kumar Vijeta Son of Jhari Sahni R/V- Shobhani, P.S-
Olapur Gangaur, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjit Kumar Yadav, Advocate
For the Opposite Party/s	:	Mr. Lalan Kumar, APP
For the Informant	:	Mr. Dinesh Maharaj, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 21-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

At the outset, learned counsel for the petitioner
pointed out that pairwikar of this case is the son of the
petitioner.

Accordingly, learned counsel for the petitioner is
permitted to make necessary correction during the course of the
day itself.

The petitioner seeks bail in connection with Khagaria
(Gangaur) P.S. Case No. 708 of 2022 registered for the offence
under Sections 304(B) and 34 of the Indian Penal Code.



The accused/petitioner is named in the F.I.R. and is in custody since 17.07.2022.

The allegation against the petitioner is to cause death of the sister of the informant, alongwith other family members/co-accused persons, arises out of daily domestic disputes, where during the course of investigation, it has been surfaced that death was caused due to non-fulfillment of demand of dowry.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is the father-in-law of the deceased living separately, having no connection with daily and domestic affairs with deceased and her husband. It is pointed out that even the death of deceased was caused due to Cardio-respiratory failure, where no sign of physical assault was noticed. It is also pointed out that thrust of allegation is available against the husband of the deceased. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned



above, as petitioner is father-in-law, where he is in custody since 17.07.2022 coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Khagaria (Gangaur) P.S. Case No. 708 of 2022 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, Khagaria/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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