

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4499 of 2023

Arising Out of PS. Case No.-177 Year-2021 Thana- BIBHUTIPUR District- Samastipur

SONU SAHNI S/O HARI SAHNI Resident of village- Bajitpur Bombaiya,
P.S.- Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raja Ram Mishra, Advocate
For the Informant	:	Mr. Rahul Kumar Chaubey, Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 05-07-2023 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 03.08.2022 in connection with Bibhutipur P.S. Case No. 177 of 2021, G.R. No. 559 of 2021, F.I.R. dated 04.06.2021 for the offences punishable under Sections 304-B and 34 of the Indian Penal Code.

Allegation against the petitioner is that he along with his family members killed the daughter of the informant on the pretext of non-fulfillment of demand of dowry

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case merely on the ground that the petitioner is the husband of the deceased. He further submits that bare perusal of the F.I.R. it transpired that there is general and omnibus allegation against all the accused persons including the petitioner and there is no specific allegation of any assault or overt-act is attributed against the petitioner and without F.S.L. report charge sheet has been submitted against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 03.08.2022.

Vide order dated 19.06.2023 a report was called for with regard to the present stage of trial. Report dated 27.06.2023 of the learned trial court reveals that the case is pending for hearing on the point of charge.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 177 of 2021, G.R. No. 559 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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