

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10977 of 2023

Arising Out of PS. Case No.-128 Year-2022 Thana- LALGANJ District- Vaishali

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PRADEEP SAHNI Son of Late Bisheshwar Sahni @ Bishunder Sahni R/v-
Sirsaghoshi @ Chhitrauli, P.S.- Lalganj, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-05-2023 Heard Mr. Bhola Prasad, learned counsel for the

petitioner and learned APP for the State.

The petitioner is an accused in connection with
Lalganj P.S. Case No. 128 of 2022 registered for the offences
under sections 304(B) and 328 of the Indian Penal Code lodged
on 20.04.2022 by the informant, Sanjeev Kumar.

The prosecution case, in short, is that the informant
given his fardbeyan before the A.S.I. Aditya Kumar Ahiyapur
P.S. and alleging therein that the marriage of the informant's
sister Suman Devi was solemnized with co-accused Abhishekh
Sahni in the year 2018 and thereafter, all the accused persons
demanded a pulsar motorcycle as dowry. When informant's



sister Suman Devi showed inability of his father to fulfill the demand, all the accused persons as named in the First Information Report including the petitioner assaulted her.

It is further alleged that on 14.04.2022 at about 10 PM in the night all the accused persons administered poisonous substance to the informant's sister and thereafter, they brought her to Novel Hospital, Four Lane, Muzaffarpur for treatment where during the course of treatment, his sister died on 18.04.2022. Accordingly, the FIR

It has been contended by the learned counsel for the petitioner that the petitioner is father-in-law and had nothing to with the couple who were living separately and further the husband is in custody.

It has been submitted by Mr. Bhola Prasad that although husband of the victim is in custody has not been incorporated in the petition, his statement as such, be recorded and would manifest from the fact that in Cr. Misc. No. 8295 of 2023 relating to the wife of the petitioner, it has already come on record that the husband, Abhishek Sahni is in custody.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Considering the aforesaid fact that the petitioner is the



father-in-law, has already remained in jail since 14.12.2022 (as stated in paragraph-10 of the bail application), and the husband of the deceased is in jail, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur in connection with Lalganj P.S. Case No. 128 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty



to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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