

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19147 of 2023

Arising Out of PS. Case No.-565 Year-2022 Thana- MAJHAULIA District- West Champaran

Awadhesh Sah S/O Yogi Sah Resident Of Villae- Jaukatiya, P.S.- Majhauriya,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-06-2023 Heard Mr. Ramchandra Sahni, learned counsel
appearing on behalf of the petitioner and Mr. Dinesh Singh,
learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Majhauriya P.S. Case No. 565 of 2022 registered under
Sections 304(B), 201 and 34 of the Indian Penal Code.

3. The prosecution story, in brief, is that the daughter
of the informant was married to one Nitesh Sah and for non-
fulfillment of dowry all the accused persons committed the
murder of daughter of the informant.

4. Learned counsel appearing on behalf of the



petitioner submits that the present petitioner has been made accused in the present case because he has participated in negotiation of marriage of the daughter of the informant with one Nitesh Sah, who is in custody. Learned counsel further submits that no role of the petitioner has been alleged in the F.I.R. that he has committed murder of the deceased. Learned counsel further submits that petitioner has clean antecedent.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the nature of allegation made in the F.I.R. as well as the fact that the main allegation is made against the family members of the deceased including the husband of the deceased. The present petitioner had only negotiated the marriage settlement between the deceased and the accused, namely, Nitesh Sah. In view of the above fact, it seems that the petitioner has made out a, *prima facie*, case to be released on anticipatory bail.

7. Court below is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each, to the satisfaction of learned C.J.M, West Champaran, Bettiah in connection with



Majhaulia P.S. Case No. 565 of 2022, subject to the condition as
laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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