

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18533 of 2023

Arising Out of PS. Case No.-51 Year-2020 Thana- KARJA District- Muzaffarpur

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UMALAL SAHANI @ UMA SHANKAR SAHNI @ UMA NATH SAHANI
Son of Hari Mohan Sahni R/V- Gawasara P.S- Karja Dist- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. By filing this application, the petitioner has renewed his prayer for regular bail in connection with Karja P.S. Case No. 51 of 2020 registered for the offences punishable under Sections 304(B), 201 and 34 of the Indian Penal Code. He is in custody since 13.05.2020. The petitioner has got no criminal antecedent.

3. The allegation against the petitioner is of demand of dowry of Rs. 50,000/- and a bike. It is alleged that due to non-fulfillment of the demand of dowry, the daughter of the informant was being tortured. It is further alleged that without giving information to the *mai*ke people, the dead body of the deceased was disposed of.



4. Learned counsel for the petitioner submits that earlier the prayer for bail of the petitioner was rejected vide order dated 03.09.2021 passed in Cr. Misc. No. 13528 of 2021.

5. While rejecting the prayer for bail of the petitioner, this Court had observed that if the trial remains unconcluded for no reason attributable to the petitioner for a period of one year from the date of communication of the order, the petitioner may renew his prayer for bail.

6. Learned counsel for the petitioner submits that more than two years have gone since the rejection of the prayer for bail but till date only charges have been framed and no prosecution witness has been examined.

7. Learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering the nature of allegation, observation of this Court on previous occasion and the period of custody of the petitioner as also there being no likelihood of conclusion of the trial in near future, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Muzaffarpur (West) in connection with Karja P.S. Case No. 51



of 2020, subject to the condition as laid down under Section 437
(3) Cr.P.C.

8. 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 steps 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.

9. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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