

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42614 of 2023

Arising Out of PS. Case No.-523 Year-2021 Thana- MAJHAULIA District- West Champaran

DINESH SAHANI Son of Pannalal Sahani Resident of village - Sekh
Majhariya, P.S. - Majhauriya, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 04-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection
with Chand P.S. Case No. 80 of 2022 instituted for the offence
under Sections 304(B)/34 of the Indian Penal Code.

3. As per allegation in the FIR, the informant alleged
that earlier her granddaughter was married with the petitioner
thereafter, the petitioner along with his family members
subjected her to cruelty due to non-fulfillment of dowry
demand. Ultimately, on 20.9.2021 the informant came to that
her daughter was killed and her dead body was hanged with
rope by the accused.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. The petitioner
is husband of the deceased due to which he has falsely been



implicated in this case. As a matter of fact, the petitioner was not present at the time and place of occurrence. He was in Ludhiyana at the relevant time. The petitioner has got no criminal antecedent and languishing in judicial custody since 10.4.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the death of the informant's daughter was caused within seven year of her marriage. The petitioner is husband of the deceased upon whom the full responsibility to keep his wife well. Postmortem report annexed with the case diary, corroborates the prosecution case in which cause of death is opined due to Asphyxia as a result of hanging.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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