

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44738 of 2022

Arising Out of PS. Case No.-185 Year-2021 Thana- GOVINDGANJ District- East
Champaran

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JITESH SAHANI SON OF INDRAJIT SAHANI R/O VILLAGE- NAYAKA
TOLA KOHBARWA, P.S.- GOVINDGANJ, DISTRICT- EAST
CHAMPARAN AT MOTIHARI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 01-02-2023 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Govindganj P.S. Case No. 185 of 2021 registered for the
offences punishable under Sections 304(B), 201/34 of the Indian
Penal Code.

As per prosecution case, petitioner and others
killed the informant's sister for not fulfilling the demand of
dowry and disappeared the dead-body of the deceased.

Learned counsel for the petitioner submits that
petitioner is in custody since 14.07.2021. Petitioner bears no



criminal antecedent. Learned counsel further submits that the petitioner is innocent and has committed no offence as alleged in the F.I.R. Petitioner is falsely implicated in this case as he is the husband of the deceased. No specific allegation has been made against the petitioner. Allegation against the petitioner is general and omnibus in nature. Learned counsel further submits that F.I.R. has been lodged after delay of two days and there is no proper explanation given for the delay in lodging the F.I.R.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that there is an allegation of torturing and assaulting for demand of dowry against the petitioner. The death has been occurred within seven years of marriage and the petitioner is the husband. From perusal of the F.I.R., the dead body of the deceased was also disappeared by the petitioner and others.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner and materials available on record, I am not inclined to grant bail to the present petitioner. Accordingly, prayer for bail of the present petitioner stands rejected.

However, if the trial is not concluded within nine months from the date of receipt of this order, the petitioner may



renew his prayer for bail.

(Alok Kumar Pandey, J)

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