

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46839 of 2022

Arising Out of PS. Case No.-415 Year-2018 Thana- MINAPUR District- Muzaffarpur

SANTOSH SAHANI Son of Ramanand Sahani Resident of Village - Bara
Bharthi, P.s.- Minapur, Distt.- Muzaffarpur. .. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Minapur P.S. Case No. 415 of 2018 registered for the offence
punishable under sections 304(B), 201/34 of the Indian Penal
Code and sections 304(B), 201 and 34 of the Indian Penal Code.

As per allegation in the FIR, petitioner along with his
family members has tortured in various ways to the daughter of
the informant due to non-fulfillment of motorcycle and
ultimately they killed her and with a view to wipe off the
evidence, they cremated her dead body secretly.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is husband of the deceased. Prior to
the alleged occurrence, there is no any complain against the
petitioner. He has been falsely implicated in this case. He has
never demanded any thing from the deceased. Not a single



witness has supported the prosecution story during investigation. In fact, deceased died due to snake bite and about her death, information was provided to her maternal family members. Informant has participated in deceased's funeral. No postmortem was done upon the deceased. After prevailing good sense, matter has been compromised outside the Court, which is mentioned in para 67 of the case diary and also annexed as Annexure-2 to this petition. Petitioner is languishing in judicial custody since 5.5.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Muzaffarpur in connection with Minapur P.S. Case No. 415 of 2018.

(Sunil Kumar Panwar, J)

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