

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 51728 of 2023

Arising Out of PS. Case No.-581 Year-2022 Thana- SHAHPUR PATORI District- Samastipur

BHOLA SAHNI @ BHOLA SHANI Son of Nagendra Sahni @ Nagendra
Shani RESIDENT OF VILLAGE UTTARI DHAMOUN, P.S. PATORI,
DISTRICT SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-08-2023 Heard the parties.

The petitioner is in custody in connection with Patori
P.S. Case No. 581 of 2022 for the offence under sections 341,
304B, 201, 504, 506, 34 of the I.P.C. and section 3 and 4 of D.P.
Act lodged on 08.12.2022 by the informant, Adalat Mahto.

As per the prosecution story, the victim lady was
married to one Vishwanath Sahni but was regularly tortured for
dowry and on 06.12.2022, they came to know about her killing.
Accordingly, the F.I.R.

It is the case of the of the learned counsel for the
petitioner that he is the 'devar', living separately and nothing to
do with the alleged case and further, the husband is in custody
since 15.02.2023 (as stated in paragraph 7 of the petition).



Learned APP opposes the prayer for bail stating that allegation is there against all the accused persons.

Considering the fact that the husband is in the custody, is the 'devar' and as per the petition, is separate in mess and business, is in custody since 15.02.2023 (as stated in paragraph 12 of the petition) and do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate -Ist Class, Samastipur, in connection with Patori P.S. Case No. 581 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his



attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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