

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.257 of 2023

Arising Out of PS. Case No.-99 Year-2020 Thana- RAJEPUR District- East Champaran

GAJENDRA SAHANI Son of Lal Babu Sahani Resident of Village -
Maniyaar, P.S.- Rajepur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III

For the Opposite Party/s : Ms.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-05-2023 Heard Mr. Sunil Kumar No.III, learned counsel for
the petitioner and Ms. Rina Sinha, learned Additional Public
Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with
Rajepur PS Case No. 99/2020 dated 01.09.2020 registered for
the offence punishable under Sections 304(B), 201/34 of the
IPC.

3. As per First Information Report, marriage of
daughter of the informant was solemnized with the petitioner,
Gajendra Sahani in the year 2018. The occurrence took place on
31.08.2020 and as per FIR, due to non fulfillment of demand of
Rs. 1,50,000/- as dowry, the petitioner along with other family
members killed the daughter of the informant.

4. Learned counsel for the petitioners submits that



there is general and omnibus allegation against the petitioner and other family members. Learned counsel next submits that the petitioner earns his livelihood while working in Chennai and at the time of occurrence, he was not present at the place of occurrence. He also submits that the only allegation against the petitioner and other family members is that when the informant arrived at the site of cremation, the accused persons who were 15-20 in numbers fled away. It is also submitted that the deceased died of food poisoning.

5. Regards being had to the submissions made by the parties and taking into consideration the fact that within two years of marriage, the daughter of the informant has died in a suspicious conditions in her matrimonial home, there is presumption under Section 113B of the Evidence Act against the petitioner, I am not inclined to grant anticipatory bail to the petitioner keeping in view the nature of allegation.

6. Accordingly, the petition for anticipatory bail stands dismissed.

(Anil Kumar Sinha, J)

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