

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1317 of 2023

Arising Out of PS. Case No.-260 Year-2022 Thana- BIBHUTIPUR District- Samastipur

BAIJNATH SAHNI RAJENDRA SAHNI R/O VILLAGE- BELSANDI
TARA, TOLA- FULWARIA, P.S.- BIBHUTIPUR, DISTRICT-
SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uma Shankar Prasad Singh

For the Opposite Party/s : Mr.Arun Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 17-05-2023 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Bibhutipur P.S. Case No. 260 of 2022, corresponding to
G.R. No. 738 of 2022, registered for the offence punishable
under Section 304(B)/34 of the Indian Penal Code.

As per allegation, the marriage of sister of the
informant was solemnized with the petitioner in the year 2017.
The customary presents were given at the occasion of marriage.
The couple were blessed with two sons. It is alleged that after
two years of marriage, her husband (petitioner) started
demanding Rs. 4-5 lacs cash and due to non-fulfillment of his
demand, he along with other matrimonial inmates named in the



FIR, committed her murder. When the informant heard this news, he rushed to the matrimonial house of his sister and saw her dead body. The froth was coming out of her mouth. The informant also noticed some mark of injury on her neck.

The learned counsel for the petitioner has submitted that he is innocent and has falsely been implicated in this case. He has submitted further that after birth of children, it is not trustworthy that the petitioner, demanded Rs. 5 lacs from his wife. He has also submitted that as a matter of fact, she herself committed suicide and there is no one to look after the two children of the petitioner. He has also submitted that there is no one to look after the children of the petitioner and the independent witnesses have stated that the deceased had committed suicide.

On the other hand, the learned APP has opposed the prayer for bail and submitted that the witnesses in the case diary fully corroborated the allegation made against the petitioner, to which the learned counsel for the petitioner has replied that in paragraph nos. 65, 66 and 66(a) of the case diary, the witnesses have stated that they heard that the wife of the petitioner had committed suicide by strangulating herself.

Considering the above-mentioned facts and



circumstance and also considering that petitioner is husband of the deceased and there is specific allegation against him of committing atrocities for non-fulfillment of his demand of Rs. 4-5 lacs.

In my view, the petitioner does not deserve the privileges for bail, which is hereby rejected.

The learned trial court is directed to expedite the case within a period of nine months.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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