

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27971 of 2024**

Arising Out of PS. Case No.-131 Year-2021 Thana- SINGHWARA District- Darbhanga

Lal Babu Sahni Son of Umesh Sahni Resident of Village- Bhajora Tole,  
Bhagwanpur, P.S.- Singhwara, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**

ORAL ORDER

5      20-07-2024                      Heard learned advocate appearing on behalf of the  
  
petitioner and learned Additional Public Prosecutor for the  
  
State.

2. The petitioner apprehends his arrest in connection  
with Singhwara P.S. Case No. 131 of 2021, registered for the  
offences punishable under Sections 328, 304(B), 34 of the  
Indian Penal Code.

3. The marriage of the daughter of the informant was  
solemnized with the petitioner Six years ago. Soon after the  
marriage, the deceased was subjected to demand of dowry and  
on account of non-fulfillment of the same, she was done to  
death.

4. Learned advocate appearing on behalf of the  
petitioner contended that during the investigation it has come



that the deceased was severely ill and her treatment was going on at Darbhanga as well as I.G.I.M.S. Patna and due to her illness she died. The present case has been instituted on the instigation of some of the unscrupulous persons, however, later on good sense prevailed and an application has been filed by the informant before the jurisdictional court stating therein that the accused persons have not played any role in causing the death of the deceased. The copy of the application is marked as annexure-2. The post mortem report also suggests that there is no external injury over the body of the deceased and as such the viscera has been sent to the Forensic Science Laboratory in order to know the cause of death. The petitioner has been incarcerated since 01.02.2024 and he undertakes before this Court that he will fully cooperate in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the bail application and submits that the unnatural death has taken place within Seven years of the marriage preceding the demand of dowry and as such presumption of dowry death cannot be ruled out.

6. Regard being had to the submissions made on behalf of the parties and considering the materials which have



come during the course of the investigation and the fact that the informant has filed an application before the jurisdictional court stating therein that the petitioner has not played any role, coupled with the post mortem report and fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class Darbhanga in connection with Singhwara P.S. Case No.131 of 2021, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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