

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65612 of 2024

Arising Out of PS. Case No.-103 Year-2023 Thana- LAKHNAUR District- Madhubani

Sanjay Saday S/o Aghunu Saday @ Aghatu Saday R/o Village- Oxsi, P.S.-
Lakhnaur, District - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Fule Saday S/o Kishun Saday R/o vill - Pure, P.S. - Lakhnaru, Distt. -
Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 26-10-2024 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Lakhnor P.S. case No. 103 of 2023 instituted for the offences
under Sections 498A, 304B, 201, 504, 506/34 of the Indian
Penal Code.

3. Prosecution story, in short, is that the petitioner
along with other family members tortured and killed the
daughter of the informant for non-fulfillment of demand of
dowry.

4. Learned counsel for the petitioner submitted that
petitioner has falsely been implicated in the present case.



Petitioner is the husband of the deceased. Learned counsel further submitted that there is general and omnibus allegation against the petitioner. Learned counsel further submitted that there is no specific allegation of demand of dowry against the petitioner. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.05.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that in paragraph no. 47 of the case diary, one of the witnesses namely Raj Kumar has supported the case of the prosecution.

6. Considering the aforesaid facts and circumstances of the case, no specific allegation against the petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lakhnor P.S. case No. 103 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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