

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81903 of 2023

Arising Out of PS. Case No.-431 Year-2019 Thana- GORAUL District- Vaishali

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Mukesh Sahni Son Of Mintu Sahni R/O Of Village- Hasanpur Gangti, P.S.-
Goraul (KATHARA O.P.), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-02-2024 Heard Mr. Mr.Chandra Shekhar Anand, learned

counsel for the petitioner and Mr.Anuj Kumar Shrivastava,

learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
20.08.2020 in connection with S.Tr.No.210 of 2020 arising
out of Goraul (Kathara O.P.) P.S. Case No. 431 of 2019, F.I.R.
dated 15.11.2019 registered for the offence punishable under
Sections 304(B),201/34 of IPC.

3. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case merely on the
ground that the petitioner is husband of the deceased and as
per allegation in the FIR the petitioner and other family



members have demanded the dowry from the family members of the deceased and on account of non-fulfilment of demand of dowry, they have killed the daughter of the informant.

4. Earlier the prayer for bail of the petitioner was rejected vide order dated 23.08.2022 in Cr. Misc. No. 1145 of 2022. Thereafter, the petitioner has again moved this Court for renewing his prayer for bail in Cr. Misc. No. 25801 of 2023 but the same was dismissed as withdrawn vide order dated 19.04.2023 with liberty to move afresh before the appropriate forum.

5. Vide order dated 12.01.2024, a report was called for with regard to the present status of the trial. Report of the learned Trial Court dated 20.01.2024 reveals that out of five chargesheet witnesses, three witnesses have been examined as yet.

6. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 20.08.2020.

7. Learned APP for the State has opposed the prayer for bail of the petitioner.

8. Considering the aforesaid fact, report of the



learned Trial Court as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII, Vaishali, Hajipur in connection with S.Tr.No.210 of 2020 arising out of Goraul (Kathara O.P.) P.S. Case No. 431 of 2019, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned



order shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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