

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10032 of 2025

Arising Out of PS. Case No.-283 Year-2023 Thana- PAKRIDAYAL District- East Champaran

Mahesh Sahni @ Maheshwar Sahni Son of Raghunath Sahni Village-
Baghwanpur Ps -Pakridayal Dist -East champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner is in custody in a case registered for the
offence under Section 304(B)/201/34 of the IPC.

3. As per the allegation in the FIR, it is alleged that
sister of the informant, namely, Priyanka Kumari was got
married with the petitioner, namely, Mahesh Sahni about 08 to
10 years back and out of wedlock one son and one daughter
have been born. The brother in law of the informant called on
mobile of the informant that the sister of the informant has fled
away from the house after which informant searched about his
sister among his relatives and till date the victim/deceased is
traceless. It is further alleged that informant came to know that



this petitioner (brother-in-law of the informant) has illicit relation with his Sister-in-law for which informant's sister (deceased) used to protest after which the accused persons including the present petitioner had killed his wife (informant's sister).

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He next submits that it appears from the FIR that no date of alleged occurrence has been mentioned in the prosecution story. He next submits that from perusal of the case diary, it appears that investigation has been conclude by Investigating Officer, accordingly, chargesheet has been submitted for the offence under Section 304(B)/201 of IPC. He further submits dead body of the deceased has not been recovered till date and there is no any witnesses to prove the case that the petitioner has committed any offence as alleged in the FIR and there is no fact against the petitioner for demanding dowry. He further submits that petitioner has no criminal antecedent and he is in custody since 29.12.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of the First Information Report, case



diary and impugned order dated 10.12.2024, it appears that petitioner got married with the informant's sister (victim/deceased) about 08 to 10 years back and out of wedlock one son and one daughter have been born and from perusal of the records it is evident that there is no allegation of demand of dowry against the petitioner and his family members and it also appears that disappearance of the alleged deceased was intimated by the present petitioner to the informant (deceased's brother) through his mobile number. So, considering all aspects of the case and submission of learned counsel for the petitioner, let the above named petitioner be released on bail, on his furnishing bail bonds of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XII, East Champaran at Motihari in connection with Sessions Trial No.591 of 2024 arising out of Pakridayal Police Station Case No.283 of 2023.

(Ramesh Chand Malviya, J)

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