

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12585 of 2025

Arising Out of PS. Case No.-176 Year-2024 Thana- KOTWA District- East Champaran

Dharmendra Sahni S/O Rajdeo Sahni R/O Vill.- Barharwa Kala, P.S.- Kotwa,
Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III, Advocate
For the State : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner; learned APP
for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Kotwa P.S. Case No. 176 of 2024 registered for the offence punishable under Sections 341, 323, 498A, 376, 120B, 504 and 506/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The petitioner is the younger brother of the deceased-husband of the informant.

4. The allegation is that after the death of the elder brother, the family wanted the petitioner to marry the widow (informant) and thereafter the informant had a relationship with the petitioner.

5. It has been submitted by learned counsel for the



petitioner that deceased, elder brother of the petitioner, had died of AIDS and therefore, there is no question of the petitioner having established relation with the informant. The petitioner is in custody since 23.09.2024.

6. Learned APP appearing for the State as well as the learned counsel for the informant have opposed the prayer for bail of the petitioner.

7. In my opinion, the facts are disputed and the informant is the widow of the elder brother of the petitioner.

8. Considering the period of custody and the aforesaid circumstances, this application is allowed.

9. Let the petitioner, above named, 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 the learned Additional Sessions Judge-cum-Exclusive Special Judge (Rapes and POCSO Cases) Motihari, East Champaran/concerned Court in connection with Kotwa P.S. Case No. 176 of 2024.

(Sandeep Kumar, J)

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