

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18703 of 2025**

Arising Out of PS. Case No.-92 Year-2022 Thana- KUDHNI District- Muzaffarpur

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Amod Sahani @ Amod Kumar S/o- Late Ram Nath Sahani Vill- Kudhani PS-
Kudhani, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the State : Mr. Kumar Veerendra Narayan APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 29-08-2025 Heard the parties.

2. The petitioner is in custody in connection with Kudhani P.S. Case No. 92 of 2022 for the offence punishable under sections 304(B), 201 and 34 of the Indian Penal Code, lodged on 27.02.2022 by the informant, Anita Kumari.

3. As per the prosecution story, the informant who is sister of the victim lady alleged that she was married to this petitioner but was tortured for dowry and on 27.02.2022, it was informed that she died on 26.02.2022 and the mortal remains were already consigned to flames. Accordingly, the F.I.R.

4. On the earlier occasion, a report was called for from the Trial Court. The same is now on record dated 05.08.2025 according to which, the prosecution evidence has been closed and the defence evidence have to be recorded.



5. Learned counsel for the petitioner submits that he has remained in custody since 16.09.2022, has suffered a lot, has no criminal antecedent and without fail he shall be diligently appearing in trial and failure to do so even for a single day without plausible reason, the court concerned shall take steps for cancellation of his bail bond, if granted relief.

6. Learned APP opposes the prayer for bail submitting that the petitioner is the husband of the victim lady.

7. Considering the submissions of the parties as also the fact that he has remained in custody since 16.09.2022, having no criminal antecedent, an undertaking has been given, in that background, solely on the consideration of his long period of custody, this Court is inclined to extend him the privilege of bail.

8. It is however made cleat that if the petitioner after release tries to delay/influence the trial, the State shall be free to take steps for cancellation of his bail bond.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-XII, Muzaffarpur, in connection with Kudhani P.S. Case No. 92 of 2022 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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