

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24714 of 2025

Arising Out of PS. Case No.-34 Year-2023 Thana- SHYAMPUR BHATHAN District-
Sheohar

Shivshankar Sahni S/O Late Rambabu Sahni Resident of village- Jhapha, P.S-
Ahiyapur, District- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hasnain Haider, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Shyampur Bhatha P.S. Case No. 34 of 2023, registered for the offences under Sections 302, 304B, 34 of the Indian Penal Code.

3. As per the prosecution case, daughter of the informant died within seven years of her marriage in her matrimonial home and the petitioner is the husband of the deceased.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the FIR it is apparent that the main allegation of treating the deceased with cruelty and torturing her is against the mother-in-law of the deceased and also the sister of the mother-in-law. It has come in the FIR itself that the petitioner used to stay in Haryana where he had been



working as a labourer. There was no reason for the petitioner to kill his wife. Learned counsel further submits that the informant has filed an application to the learned District and Sessions Judge, Sheohar that due to misunderstanding this case has been lodged as the daughter of the informant died due to injuries suffered by her as a result of fall in river. There was no ill-treatment to the deceased by the petitioner or his family members. The petitioner is in custody since 22.11.2024 and he has one criminal antecedent. Charge sheet has been submitted

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that the petitioner is husband of the deceased and death occurred within seven years of marriage. Learned counsel further submits that the cause of death is stated to be asphyxia resulting on account of neck tie resulting from fracture of hyoid bone.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the lack of substantive material against the petitioner to show his involvement in the occurrence and further considering the submission of charge sheet and period of custody of the petitioner, the petitioner is directed to be released on bail, on



furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Principal Sessions Judge, Sheohar/concerned court, in connection with Shyampur Bhatha P.S. Case No. 34 of 2023, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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