

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20304 of 2025

Arising Out of PS. Case No.-40 Year-2015 Thana- MOTIPUR District- Muzaffarpur

Ravindra Sahani Son of Sikindra Sahani Resident of Village- Anjana Phullar,
P.S.- Motipur, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 29-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Motipur
P.S. Case No. 40 of 2015 instituted for the offences under
Sections 304B, 201, 34 of the Indian Penal Code.

3. Prosecution case, in short, is that the petitioner
alongwith the family members tortured and killed the deceased
for the non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is the husband of the deceased. Learned counsel for
the petitioner submits that general and omnibus allegation has
been made against the petitioner. No specific overt act is



alleged against the petitioner. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.09.2023 and has no criminal antecedent.

5. As per the report dated 21.07.2025 sent by learned Trial Court regarding present stage of trial, the case is at the stage of prosecution evidence and out of 14 prosecution witnesses, 6 have already been examined. It is further reported that the case is likely to be concluded within two months.

6. Learned APP for the State has opposed the prayer relying upon a decision of the Hon'ble Apex Court reported in **2024 SCC OnLine SC 3539 (X. vs. State of Rajasthan & Anr.)**, wherein in paragraph no. 14, the Hon'ble Apex Court has held as under:

“14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the Court, be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.”

7. Considering the aforesaid facts and circumstances of the case as also the present stage of trial, this Court is not



inclined to grant bail to the petitioner.

8. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

9. Learned Trial Court is directed to expedite the trial.

10. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of two months from today.

(Rudra Prakash Mishra, J)

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