

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22965 of 2025

Arising Out of PS. Case No.-116 Year-2024 Thana- LAKHAURA District- East Champaran

Saroj Sahni @ Saroj Kumar Son of Munilal Sahni @ Munnilal Sahani
Resident of Village - Sarsaula, P S- Lakhaura District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kashyap

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-04-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor representing the State.
2. The petitioner seeks regular bail in connection with Lakhaura Police Station Case No. 116 of 2024, dated 20.09.2024, registered for the offences punishable under Sections 130(1)/81(1)/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Informant Report, is that the marriage of the petitioner and the daughter of the informant (now, deceased) was solemnized on 13.05.2022 and soon after the marriage, the petitioner, along with other co-accused persons, started demanding dowry and due to non-fulfillment of the said demand, the deceased was subjected to torture, both mentally as well as



physically. It has further been alleged that on 19.09.2024, when the informant tried to contact the deceased on phone, the phone of the deceased was switched off and when they reached her matrimonial home, she found the dead body of her daughter lying in the matrimonial home and all the accused persons were absconding. It has been alleged that the petitioner and others have killed the daughter of the informant by strangulating her due to non-fulfillment of the demand of dowry.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case with ulterior motive. He further submits that the deceased had committed suicide and the petitioner, who is the husband of the deceased, was not present in the house on the fateful day; rather, he was in Bareilly, Uttar Pradesh, in connection with his livelihood. He further submits that there is delay of three days in lodging the First Information Report. He next submits that the petitioner is in custody since 11.11.2024 and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.



5. On the other hand, learned Additional Public Prosecutor vehemently opposed the prayer for bail and submits that within two and a half years of the marriage, the deceased was killed by her in-laws and the petitioner for demand of dowry.
6. I have heard learned counsel for the parties and have gone through the materials on record including the impugned order.
7. Within two and a half years of the marriage, the informant's daughter died an unnatural death in her matrimonial home. The nature of death is not important whether it is natural, suicidal or accidental but the fact of the matter is that deceased died an unnatural death within two and a half years of her marriage. There is a presumption against the accused persons under Section 113(A) and 113(B) of the Evidence Act. The offence is serious in nature and the punishment thereof is also serious.
8. Accordingly, I am not inclined to grant regular bail to the petitioner at this stage.
9. This application is, accordingly, dismissed.
10. However, the petitioner may renew his prayer for regular



bail after one year from today, if the trial does not show
any substantial progress.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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