

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30393 of 2025

Arising Out of PS. Case No.-126 Year-2024 Thana- KUDHNI District- Muzaffarpur

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Ajay Sahni @ Ajay Kumar S/o Rajeshwar Sahni R/o Village- Bachhuman,
P.O. and P.S.- Kudhni, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parth Sarthy, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-07-2025 Heard Mr. Parth Sarthy, learned counsel for the

petitioner and Mr. Brajendra Nath Pandey, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
29.11.2024 in connection with Kudhni P.S. Case No. 126 of
2024, F.I.R. dated 23.05.2024 registered for the offence
punishable under Sections 302, 201/34 of IPC.

3. As per the prosecution case, the petitioner along
with other co-accused persons are said to have killed the
daughter of the informant due to non-fulfillment of dowry
demand.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he is in custody since



29.11.2024. From a bare perusal of the F.I.R., it appears that the informant is not the eye-witness of the alleged occurrence and although allegation against the petitioner is that he has committed murder of the daughter of the informant, who happens to be the wife of the petitioner and disposed of the dead body of the deceased. Further submits that the police, after investigation, submitted charge-sheet under Section 304(B) of the Indian Penal Code against the petitioner and exonerated other accused persons, which was mentioned in the charge-sheet. Apart from that, for the same set of allegation, co-accused persons, namely, Usha Devi and Rajeshwar Sahani, who happen to be the mother-in-law and father-in-law of the deceased, have been granted privilege of anticipatory bail by this Court vide order dated 29.01.2025 passed in Cr. Misc. No.73968 of 2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner but fairly submits that in paragraph nos.34 and 56 of the case diary, it has been mentioned that the informant was present and with his consent, the dead body of the deceased was disposed of.

6. Considering the aforesaid facts, the petitioner has clean antecedent and the dead body of the deceased was



disposed of with the consent of the informant and other family members and some of the co-accused persons have been granted privilege of anticipatory bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-I, Muzaffarpur (West) in connection with Kudhni P.S. Case No. 126 of 2024, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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