

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83866 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- SHYAMPUR BHATHAN District-
Sheohar

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Basant Sahani S/o- Maksudan Sahani Village- Tarbanva Ps-Shyampur
Bhatoha District-Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-01-2025 Heard Mr. Rajesh Kumar, learned counsel for the

petitioner and Mr. Abhay Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Shyampur Bhatoha P.S. Case No. 34 of 2021,
F.I.R. dated 28.03.2024 for the offences punishable under
Sections 341, 323, 498A and 304B of the Indian Penal Code.

3. According to prosecution case, all the accused
persons including the petitioner have killed the sister of the
informant due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case merely on the ground that he is



father-in-law of the deceased. He further submits that it appears from the F.I.R that there is no specific allegation of assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including this petitioner. In fact, on the date of occurrence, the petitioner was in Jaipur, Rajasthan and he has been made accused only on the ground that he is father-in-law of the deceased.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and on the date of occurrence he was in Jaipur, Rajasthan (evident from Annexure-2 of the bail petition), let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Additional Chief Judicial Magistrate -I, Sheohar in connection with Shyampur Bhataha P.S. Case No. 34 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 absence on two consecutive dates without sufficient reason, his 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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