

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87816 of 2024

Arising Out of PS. Case No.-694 Year-2023 Thana- BARH District- Patna

Nitish Sahni @ Nitish Kumar @ Nitish Sahani son of Badri Mahto Vill-
Umanath, Bind Toli, P.S-Barh, Dist-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Adv

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 30-04-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Barh P.S. Case No. 694 of 2023 registered for the offences punishable u/s 304(b), 201, 323 and 341 of the I.P.C.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have killed the daughter of the informant by hanging.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner is the husband of the deceased, however, nothing has come against him, on the contrary the witnesses examined during the course of the



examination have stated that the wife of the petitioner has committed suicide by hanging herself. Learned counsel has further referred to a certified copy of the order dated 11.12.2024 wherein the learned court below has taken cognizance of the offence under Section 306 of the I.P.C., despite the fact that the police has submitted charge sheet under Section 304(B) of the IPC. It is lastly submitted that the petitioner has two criminal antecedents and is in custody since 02.09.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the petitioner has two criminal antecedents and there is a presumption that the petitioner has killed his wife as she had died in the matrimonial home, hence, he does not deserve the liberty of bail.

6. Considering the aforesaid submissions of the parties and taking into account the fact that the witnesses have consistently stated that the daughter of the informant had committed suicide and the door was locked from inside and also taking into account that the petitioner is in custody since 02.09.2024, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Barh P.S.



Case No. 694 of 2023.

7. The application stands allowed.

(Sourendra Pandey, J)

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