

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36823 of 2015

Arising Out of PS.Case No. -45 Year- 2015 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

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1. Sharda Devi W/o Sheo Chandra Sahani
2. Raj Bansi Sahani S/o Late Methur Sahani Both residents of village -
Bediban Madhuban, Amwa Tola, P.S. Pipra, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Adv.

For the Opposite Party/s : Mr. C.Sen Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 04-11-2015 Heard both sides.

The petitioners apprehend their arrest in Pipra P.S.
Case No. 45/2015, registered for the offences punishable under
Sections 304B, 201, 34 of the Indian Penal Code.

The mother of the deceased disclosed that she had
talked with her daughter in the night of 02.03.2015 but on
03.03.2015, she got information that her daughter was killed by
her mother-in-law, Rajbansi Sahani (cousin father-in-law) and
others.

Learned counsel for the petitioners submits that the
informant alleged that her daughter was killed due to non-
fulfillment of demand of motorcycle, but she never complained

about any demand. The informant was informed about the death of the deceased on 03.03.2015. She participated in the funeral and on the same day when the dispute did not resolve, the informant lodged this false case.

It is submitted that petitioner no. 2 is uncle-in-law of the deceased and he is living separately from the family of the husband of the deceased. Prabhawati Devi, the cousin of the deceased who also married in the same village disclosed that Rajbansi Sahani is living separately.

From perusal of the case-diary, it appears that there was some dispute between the husband and the wife and the husband caught his wife in his house. Although, the cousin of the deceased is living in the same village disclosed that only three days ago the husband of the deceased came from outside and due to non-fulfillment of demand of dowry Sanju Devi, the deceased was killed and her dead body was concealed. Petitioner no. 1 is mother-in-law. The deceased was killed within two and half years of her marriage, and her dead body was concealed which is still traceless.

Considering the facts aforesaid, I am not inclined to enlarge petitioner no. 1 above named on anticipatory bail. Accordingly, the same is rejected.

So far as the case of petitioner no. 2 is Rajbansi Sahani is concerned, he is uncle-in-law of the deceased. It has come that Rajbansi Sahani is living separately from the family of the deceased and he has no manner of concern with the family of the husband of the deceased.

Considering the facts aforesaid, petitioner no. 2 above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Pipra P.S. Case No. 45/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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