

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35996 of 2014

Arising Out of PS.Case No. -74 Year- 2014 Thana -NAYAGAON District- SARAN

- =====
1. Yogeshwar Sahani @ Yugeshwar Sahani, son of Late Nissu Sahni, aged about 60 years
 2. Geeta Devi, wife of Yogeshwar Sahani, aged about 58 years.
- Both resident of village Baherwa Gachhi, P.S. Nayagaon, District- Saran.
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Rekha Prasad, Adv.

For the Opposite Party/s : Mr. A. L. Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 01-04-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek anticipatory bail in connection with Nayagaon P.S. Case No. 74 of 2014 registered for the offences punishable under sections 304-B and 201 of the Indian Penal Code. The petitioners are father-in-law and mother-in-law respectively of the deceased.

It has been contended that there is no evidence that the daughter-in-law of the petitioners was killed due to non-fulfillment of demand of dowry. On the contrary, there is evidence that she died in course of treatment and was cremated in presence of the witnesses. In this regard, reference has been made to the statements of witnesses, namely, Laxmi Sahani, Shailendra

Sahani, Mahendra Mahto, Ram Babu Sahani, Raj Muni Devi and Shiv Jota Devi recorded in paragraphs 11 to 16 of the case diary.

Learned counsel for the State has opposed the prayer for anticipatory bail. However, he concedes that the aforesaid witnesses have stated about innocence of the petitioners in the alleged offence.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within four weeks from today, both the petitioners, namely, Yogeshwar Sahani @ Yugeshwar Sahani and Geeta Devi are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Nayagaon P.S. Case No. 74 of 2014, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Pradeep/-

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