

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45941 of 2016

Arising Out of PS.Case No. -298 Year- 2012 Thana -MINAPUR District- MUZAFFARPUR

- =====
1. Ram Karan Sahani son of late Dipan Sahani
 2. Mahendra Sahani son of Late Ramadhar Sahani.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manindra Kishore Singh

For the Opposite Party/s : Mr. Smt. Reena Sinha

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-10-2016

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 302, 201 and 120B/34 of the Indian Penal Code.

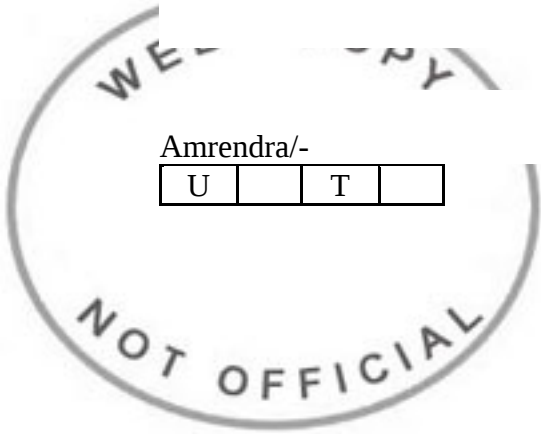
The informant Tilmanti Devi filed Complaint Case No. 2809 of 2012 alleging therein that she married her daughter Nirmala Devi @ Meenu Devi 13 years prior to the filing of the complaint with Saheb Sahni. For 4-5 years, the daughter of the informant was happy in the matrimonial house but thereafter the torture was inflicted for non-fulfillment of the dowry demand. On 12.08.2012, some unknown persons informed the informant through mobile that in-laws family of the daughter of the informant along with Mohan Sahni and some unknown persons killed the daughter of the informant. Subsequently, the complaint

case came to be registered as a police case on 04.11.2012 after being transferred under Section 156(3) of the Cr. P.C.

It is submitted by the learned counsel for the petitioners that there is no specific accusation against the petitioners in the complaint case but in the accused column the petitioners have been named as accused numbers 6 and 9. the petitioners are not the family members of the in-laws of the daughter of the informant and the petitioners were not aware about the filing of this case and ultimately NBW was issued vide order dated 02.08.2016 passed by learned CJM, Muzaffarpur. The said order has been brought on record as Annexure-2 but it does not reflect that any material evidence was filed with requisition for issuance of warrant. The informant subsequently retracted from his initial version and filed a petition to that effect before the learned court below.

Considering the fact that there is no specific accusation against the petitioners and the petitioners are not the family members of the in-laws of the daughter of the informant, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Muzaffarpur in

connection with Minapur P.S. Case No. 298 of 2012, subject to
the conditions as laid down under Section 438(2) Cr.P.C.



Amrendra/-

U		T	
---	--	---	--

(Dinesh Kumar Singh, J)