

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30299 of 2016

Arising Out of PS.Case No. -104 Year- 2015 Thana -RAGHUNATHPUR District- SIWAN

- =====
1. Sunil Sahani s/o Bali Ram Sahani
 2. Gaudi Devi w/o Bali Ram Sahani
- Both are resident of vill – Kausar, p.s – Raghunathpur, distt – Siwan
3. Rinku Devi w/o Kanhaiya Sahani D/o Bali Ram Sahani, r/v – Tiyar, P.S. – Darauli, Distt - Siwan

.... Petitioner/s

Versus

1. The State of Bihar
2. Bijauli Sahani s/o Late Paramhansh Sahani, r/v- Chainpur Mubarakpur, P.S. – Siswan, Distt - Siwan

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 14-09-2016 Heard both sides.

The petitioners apprehend their arrest in Raghunathpur P.S. Case No. 104/2015, registered for the offences punishable under Sections 304B, 201 and 34 of the Indian Penal Code.

The brother of the deceased alleged that his sister Rajmati Devi was married with Sunil Sahani, but after marriage Sunil Sahani and his family members were demanding Rs. 50,000/-. On 17.06.2015 the informant got information that Sunil Sahani, Gaudi Devi mother-in-law, Rinku Devi sister-in-law burnt his sister to death and disposed of her dead-body.

Learned counsel for the petitioners submits that

accidentally, the wife of Sunil Sahani got burn injuries. She was brought to Referral hospital Raghunathpur on 12.06.2015. On 13.06.2015 she was referred to P.M.C.H. for better treatment. The wife of Sunil Sahani died on 16.06.2015 and post-mortem on the dead-body of the deceased was held. She was cremated in electrical crematorium on 17.06.2015. The petitioners never demanded any dowry. The deceased has got two children.

It appears that petitioner no. 2 and 3 are mother-in-law and sister-in-law of the deceased. No specific allegation is made against them. The deceased died after six years of her marriage.

Considering the facts aforesaid and the fact that petitioner no. 2 and 3 namely, Gaudi Devi and Rinku Devi are mother-in-law and married sister-in-law of the deceased, they, in the event of their 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, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Raghunathpur P.S. Case No. 104/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

So far as the case of Sunil Sahani petitioner no. 1 is

concerned, he is the husband of the deceased. The informant made specific allegation that the petitioner was torturing his wife. Petitioner no. 1 took his wife to P.M.C.H. for treatment and after her death cremated her dead-body in Patna itself without informing the family members of the deceased.

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

(Prabhat Kumar Jha, J.)

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