

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40240 of 2016

Arising Out of PS.Case No. -28 Year- 2016 Thana -BELDAUR District- KHAGARIA

1. Renu Devi Wife of Laxman Sahni
2. Kanchan Devi Wife of Bharat Sahni
3. Laxman Sahni Son of Ram Chandra Sahni
4. Bharat Sahni Son of Ram Chandra Sahni All are residents of Village Mahinath Nagar, Police Station Beldour District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-10-2016 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Beldaur P.S.Case No. 28/2016 registered for offence punishable under Section 304B/201/34 of the Indian Penal Code.

The prosecution case is that the informant Hitalar Mukhiya had filed a written petition before the S.H.O., Beldaur P.S. that his daughter Sangita Devi got married two years ago with Pritam sahani but after marriage, the family members of her matrimonial house including the petitioners along with five other co-accused persons started torturing her and ultimately due to

non fulfillment of dowry she was made traceless.

It has been submitted by the learned counsel for the petitioners that petitioner Nos. 1 and 2 are Gotni (Sisters-in-law) and Petitioner Nos. 3 and 4 are Baisur (brother-in-law) of the deceased Sangita Devi and they are Rickshaw pullers and are living separate from the house of Pritam Sahni, husband of the deceased. He further submits that during investigation, the police have found the present case appears true under Sections 364/34 of the I.P.C. as said Sangita Devi is traceless and her body has also not been found. He further submits that they have no criminal history and no specific allegation has been levelled against these petitioners.

However, learned A.P.P. for the State submits that petitioners are named in the F.I.R., hence, opposes the prayer for bail.

Be that as it may, since the petitioners are Gotni and Bhasur of the said Sangita Devi, who is traceless, let the above named petitioners in the event of their arrest or surrender before the Court below within a period of eight weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Khagaria

in connection with Beldaur P.S.Case No. 28/2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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