

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4259 of 2016

Arising Out of PS.Case No. -122 Year- 2014 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

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1. Santosh Sahani
2. Rambhu Sahani
Both sons of Dhruv Sahani resident of Village- Dhekahan, Police Station-
Pipra Kothi, District- East Champaran at Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj
For the Opposite Party/s : Mr. Atul Chandra (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 30-01-2016

Heard learned counsels for the petitioners
and the State.

The petitioners are apprehending their
arrest in a case registered for the offences punishable under
Sections 304B/34 of the Indian Penal Code.

The prosecution case is of killing the
daughter of the informant after three years of marriage for non-
fulfillment of the dowry demands. The petitioners are not named
in the FIR but their name subsequently sprang up in the
confession of co-accused Amir Sahani. During investigation it
transpired that the victim was throttled to death and the dead

body was hanged with a mango tree. Subsequently when the accused persons were trying to dispose of the dead body, in the meanwhile, police reached and the accused persons escaped from the scene.

It is submitted by learned counsel for the petitioners that the petitioners are in no way related to the family of the husband of the victim nor the petitioners are named in the FIR. Statement to that effect has been made in paragraph 7 of the petition, which reads as follows:- **“That, it is most respectfully submitted that these petitioners are not related with the in-laws of the deceased and they have no concern with them but co-accused Amir Sahani named these petitioners and some others in his confession only to shift the liability and to save his own skin.”** It is further submitted that though charge sheet has been submitted against other accused persons under Sections 302, 201 and 120B IPC but investigation against the petitioners is still pending.

Considering the fact that specific accusation is against the in-laws of the victim and the name of the petitioners subsequently sprang up during investigation on confession of the co-accused, let the above named petitioners be released on anticipatory bail, in the event of their arrest or

surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Pipra P.S. Case No. 122 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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