

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23499 of 2016

Arising Out of PS.Case No. -177 Year- 2015 Thana -SARAIYA District- MUZAFFARPUR

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1. Sanjay Sahani @ Sanjay Kumar Sahani, S/o Maheshwar Sahani
 2. Sunaina Devi, W/o Suresh Sahani
 3. Sharmila Kumari, D/o Late Surendra Sahani
 4. Maheshwar Sahani, S/o Late Munshi Sahani, all R/o Village- Azizpur, P.S. Saraiya, Dist Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate

For the Opposite Party/s : Mr. U.L.Verma (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 04-08-2016

Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners apprehend arrest in connection with Saraiya P.S. Case No. 177/15 for offences alleged under Sections 304(B), 201, 498/34 of the Indian Penal Code.

The allegation is that petitioners along with others including the husband killed the daughter of the informant Munni Devi by sprinkling kerosene oil and disposed off her dead body without informing him.

It has been submitted by the learned counsel for the petitioners that they are innocent and have falsely been implicated in the aforesaid case. He submits that petitioner no. 4 is the brother of the father-in-law of the deceased Munni Devi and

petitioner no. 1 is the son of petitioner no. 4. Petitioner no. 3 is the Nanad of the deceased and petitioner no. 2 is the cousin mother-in-law of the deceased. It has been submitted that there is general and omnibus allegation against the petitioners and except petitioner no. 3 all the petitioners have separate home and hearth adjacent to the matrimonial house of the deceased and have no concern with the day-to-day affairs of the husband and wife. He further submits that the allegation is upon the husband.

However, learned APP for the State submits that the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since petitioner nos. 1, 2 and 4 have separate home and hearth and petitioner no. 3 is the Nanad of the deceased, let petitioners, above named, 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) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, (West) Muzaffarpur, in connection with Saraiya P.S. Case No. 177/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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