

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1524 of 2016

Arising Out of PS.Case No. -394 Year- 2015 Thana -DARBHANGA SADAR District-
DARBHANGA

- =====
1. Binod Sahni Son of Raj Kumar Sahni
 2. Upendra Sahni Son of Raj Kumar Sahni
 3. Kiran Devi @ Anu Devi, Wife of Arun Sahni
 4. Asha Devi Wife of Raj Kumar Sahni
- All resident of village Maniyari, P.S. Sadar, O.P. Mabbi, District-
Darbhanga

.... Petitioners

Versus

1. The State of Bihar
2. Rekhiya Devi, wife of Ram Pukar Sahni, resident of village- Maniyari,
P.S. Sadar, O.P. Mabbi, District Darbhanga

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Shambhu Nath Jha, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 11-04-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Sadar (Mabbi O. P.) P. S. Case No. 394 of 2015 registered
under Sections 147, 148, 149, 341, 323, 354, 506, 504, 379 and
302 of the Indian Penal Code.

It is contended by learned counsel for the petitioners
that for an occurrence which is alleged to have taken on



09.06.2015, a complaint was filed on 26.06.015 and there is no plausible explanation for inordinate delay caused in filing the complaint. It is further contended that as the complaint was referred to the police for investigation under Section 156(3) of the Code of Criminal Procedure, the witnesses examined under Section 161 Cr.P.C. have stated that the mother-in-law of the informant died a natural death in course of treatment and thereafter, in a planned manner the petitioners have been implicated.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioners. He has submitted that though some of the witnesses have supported the defence of the petitioners during investigation, the investigation is still in progress and considering the serious nature of the offence, the petitioners do not deserve grant of pre-arrest bail.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in Sadar (Mabbi

O. P.) P. S. Case No. 394 of 2015, subject to the conditions as
laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Ashwani Kumar Singh, J.)

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