

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46845 of 2016

Arising Out of PS.Case No. -191 Year- 2016 Thana -MINAPUR District- MUZAFFARPUR

- =====
1. Chulhai Sahani, Son of Late Fulgane Sahani.
 2. Sushila Devi, wife of Chulhai Sahani.
 3. Ram Pravesh Sahani, Son of Chulhai Sahani.
 4. Manjila Devi, Wife of Ram Pravesh Sahani. All Resident of Village-
Purainia, P.S.- Minapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Adv.

For the Opposite Party/s : Mr. Panchanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 17-01-2017 Heard both sides.

The petitioners apprehend their arrest in Minapur
P.S. Case No. 191/2016, registered for the offences punishable
under Sections 304B, 201 and 34 of the Indian Penal Code.

The informant alleged that his daughter was married
to Ram Surat Sahani son of petitioner no. 1 and petitioner no. 2
namely, Chulhai Sahani and Sushila Devi, but after marriage
additional demand of dowry was made and on account of which
all the accused persons killed his daughter.



Mr. Krishna Kant Singh learned counsel for the petitioner submits that during the course of investigation witnesses have stated that the petitioners also assaulted the deceased, but from perusal of the post-mortem report, it would appear that there is one lacerated wound on right side of forehead and another injury is abrasion on left cheek. The deceased died due to hemorrhage and shock on account of aforesaid injuries. Many persons are alleged to have assaulted the deceased and no such injury was found on the person of the deceased. The deceased in fact got one lacerated wound on the head which appears to be the cause of death. Petitioners are father-in-law, mother-in-law, brother-in-law and sister-in-law of the deceased. Husband has already surrendered and he is in jail. The marriage was solemnized nine years ago. No offence under Section 304B of the Indian Penal Code is made out, but it appears that the informant got information that his daughter was killed and her dead-body was concealed. The informant recovered the dead-body with the help of the villagers which was covered with soil and grass.

It appears that the witnesses have stated that the petitioners also assaulted the deceased before her death, as some quarrel had taken place. Of course, marriage was solemnized nine years ago, but since the witnesses have invariably stated that the



petitioners also assaulted the deceased.

Considering the facts aforesaid, I am not inclined to
enlarge the petitioners above-named on anticipatory bail.
Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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