

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14217 of 2018

Arising Out of PS.Case No. -150 Year- 2015 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Santosh Sahani S/o Shivjee Sahani
2. Shivjee Sahani S/o Ramswarath Sahani
3. Phula Devi W/o Shivjee Sahani
4. Premlal Sahani S/o Ramswarath Sahani All Resident of Village-
Hanuman Nagar, P.S. Rajepur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-04-2018 The petitioners are apprehending their arrest in connection with Rajepur P.S. Case No. 150 of 2015, registered for offences punishable under Sections 304(B), 201 and 34 of the Indian Penal Code.

Petitioner no. 1 is the husband of the deceased, petitioner nos. 2 and 3 are mother and father in laws of the deceased and petitioner no. 4 is cousin father in law of the deceased and allegation against them is of demand of dowry and causing the death of the deceased.

It has been submitted on behalf of the petitioners that they have falsely been made accused in this case and in fact died



due to severe stomach pain and family members of the informant has been informed but after some time this false case has been lodged.

Learned counsel for the State opposed the prayer for bail stating that the informant has not been informed by the petitioners rather he was informed by some other person regarding death of his daughter.

Having heard both sides, so far petitioner no. 1, is concerned, considering the fact and circumstances and nature of allegation, I am not inclined to grant the privilege of anticipatory bail to petitioner no. 1

So far other petitioners are concerned, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, they are directed to be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM Sadar, Motihari, East Champaran, in connection with Rajepur P.S. Case No. 150 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be



a local person having sufficient immovable property within the jurisdiction of the concerned Court.

- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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