

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15343 of 2019

Arising Out of PS. Case No.-137 Year-2018 Thana- BHAGWANPUR District- Vaishali

1. GANESH SAHNI Son of Tilleshwar Sahni
 2. Kamli Devi Wife of Ganesh Sahni
 3. Rohit Kumar Son of Ganesh Sahni
- All are Resident of Village - Sahtha, Police Station- Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar @ Vijay Kr. Singh

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 18-07-2019 Heard learned Counsel for the petitioners, learned Counsel for the informant and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bhagwanpur Police Station Case No. 137 of 2018, disclosing offences under Sections 304B/201/34 of the Indian Penal Code.

The allegation against the petitioners, on the basis of the First Information Report, is that the daughter of the informant (deceased) was married to one Rahul Kumar Sahni, son of petitioners 1 and 2. The petitioner no. 1 is the father-in-law, petitioner no. 2 is mother-in-law and petitioner no. 3 is the brother-in-law of the deceased. It is alleged against the petitioners that they killed the deceased due to non-fulfillment



of demand of dowry by pressing the neck of the deceased.

Learned Counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence in the manner alleged and at best, only the husband of the deceased may be responsible for her death.

Learned Counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that within 7 years of marriage, the deceased has been killed by her husband and in-laws by pressing her neck and in the post-mortem examination report, it has come that the deceased died of asphyxia due to strangulation. He further submits that the presumption would be against the petitioners and husband of the deceased for committing murder of the deceased.

After having heard learned Counsel for the parties and taking into consideration the fact that the deceased has been killed in the house of the petitioners within seven years of marriage, I am not inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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