

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65762 of 2018

Arising Out of PS. Case No.-241 Year-2018 Thana- BAHADURPUR District- Patna

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1. Ramanand Sahani and Ors Son of Late Hari Prasad
 2. Chinta Devi wife of Ramanand Sahani
 3. Rajmani Devi D/o of Ramanand Sahani All Resident of Mohalla-Bazar Samittee Ram Krishna Colony,P.S. Bahadurpur,Distt.-Patna
 4. Sushil Devi wife of Naresh Sahni
 5. Mamta Devi wife of Ranjeet Sahani Both resident of Mohalla-Sandalpur,P.S. Bahadurpur,Distt.-Patna
 6. Megh Nath Son of Ramanand Sahani Resident of Mohalla-Mouar Lane,P.S. Sultanganj,Distt.-Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar
For the Opposite Party/s : Mr.Ram Priya Saran Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 17-01-2019 Heard learned counsels for the parties.

The petitioners being the parents, married and unmarried sisters and brother-in-laws of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Section 304B of the IPC.

The prosecution case as per the the written report of Bhullar Mahto submitted to the SHO, Bahadurpur Police Station is to the effect that the daughter of the informant namely Bindya Devi was married with Govind Sahni in 2011 but there was demand of further dowry of cash and motorcycle. The victim came to the informant's house on 26.8.2018 but she was taken



to the matrimonial house on 31.8.2018 by her husband. It is alleged that on 1.9.2018 the accused persons started pressurizing the victim to transfer the land and when she declined to do so then on 2.9.2018 they throttled her to death.

It is submitted by learned counsel for the petitioners that the accusation against the petitioners is omnibus and general and the petitioners are separate from the husband of the victim. It is further submitted that the husband of the victim is in custody. In fact the marriage was performed eight years prior to the death of the victim, hence the case does not come within the purview of Section 304B IPC and that is why the date of marriage has not been given in the FIR.

Learned APP after going through the case diary, submits that during autopsy ligature mark was found on the neck of the victim. However, the viscera has been preserved.

Considering the fact that the victim died about seven years after the marriage, the accusation being omnibus and general against the petitioners and the thrust of accusation being against the husband of the victim, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of the learned ACJM- II,
Patnacity in connection with Bahadurpur P.S. Case No.241 of
2018 subject to the conditions laid down in Section 438(2) of
the Cr.P.C.

(Dinesh Kumar Singh, J)

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