

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59310 of 2019

Arising Out of PS. Case No.-288 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Suman Kumar @ Suman Sahani, S/o Kishori Sahani R/o Village- Ralahi Majhar, P.S.- Muffasil, Motihari, District- East Champaran.
 2. Abha Kumari ,D/o Kishori Sahani R/o Village- Ralahi Majhar, P.S.- Muffasil, Motihari, District- East Champaran.
 3. Kishori Sahani @ Kishore Sahani, Son of Late Ram Sewak Sahani, R/o Village- Ralahi Majhar, P.S.- Muffasil, Motihari, District- East Champaran.
 4. Mina Devi, W/o Kishori Sahani, R/o Village- Ralahi Majhar, P.S.- Muffasil, Motihari, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.Dinesh Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 20-09-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Motihari Muffasil P.S. Case No. 288 of 2019 registered
under Sections 304(B), 120(B) and 201/34 of the Indian Penal
Code.

The accusation is of killing of Mamta Kumari,
daughter of the informant, by her husband and in-laws due to
non-fulfillment of demand of dowry and throwing her dead
body in the pond.



Learned counsel for the petitioners submits that petitioner nos. 1 and 2 are *Deor* and unmarried *Nanad* whereas petitioner nos. 3 and 4 are father-in-law and mother-in-law of the deceased, daughter of the informant, and they have falsely been implicated in this case with ulterior motive. In fact, petitioners used to reside separate with Ram Sharan Kumar, husband of the deceased.

It appears that the dead body of deceased was found in the pond and anti mortem injuries were found over the dead body of daughter of the informant, as appears to order dated 02.08.2019 passed in ABP No. 2057 of 2019, whereby the privilege of pre-arrest bail of the petitioners has been rejected.

Having regard to the facts and circumstances of the case, let the above named petitioner nos.1 and 2, who are *Deor* and unmarried *Nanad* of the deceased, be released on bail, in the event of their arrest or surrender within a period of six weeks from today, 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 Chief Judicial Magistrate, Motihari, in connection with Motihari Muffasil P.S. Case No. 288 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



However the prayer of the pre-arrest bail of petitioner nos. 3 and 4, who are father-in-law and mother-in-law of the deceased, stands rejected. The petitioner nos. 3 and 4 are directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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