

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9601 of 2020

Arising Out of PS. Case No.-106 Year-2016 Thana- BABUBARHI District- Madhubani

1. SHARVAN SAHANI son of Satrughna Mukhiya resident of village Khojpur Nabka Tola, P.S. Babubarhi, District-Madhubani.
2. Sunena Devi D/o Shatrughna Mukhiya, w/o Chandrabir Sahani both Resident of Village - Khojpur Nabka Tola, P.S.- Babubarhi, Dist.- Madhubani, at Present resident of village - Mirzapur, P.S.- Ladaniya, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-06-2020 This case has been heard through video conferencing.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 304(B)/34
of the Indian Penal Code.

The prosecution case as lodged by the informant is
that his daughter's marriage was solemnized with the co-
accused Saroj Sahani according to Hindu rites before two years
ago. Allegation upon the petitioners is that they killed the
informant's daughter due to non-fulfillment of demand of
dowry.



Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case. He submits that the petitioner no. 1 is the brother-in-law (Bhaisur) and petitioner no. 2 is married Nanad of the victim. He submits that another co-accused has been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 58974 of 2019 on 26.09.2019.

Considering the facts and circumstances of the case, let the petitioner no. 2, above named, in the event of her arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Madhubani in connection with Babubarhi Police Station Case No. 106 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

However, it is made clear that if the husband of the victim surrenders before the learned court below, the court below shall release the petitioner no. 1 on anticipatory bail.

(Anjani Kumar Sharan, J)

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