

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18037 of 2020

Arising Out of PS. Case No.-123 Year-2019 Thana- RAJEPUR District- East Champaran

1. KANTI DEVI Wife of Rajendra Sahani Resident of Village- Bhurkurwa, P.S.- Rajepur, District- East Champaran.
2. Sikandar Sahani @ Sikandra Sahani @ Sikend Sahni Son of Rajendra Sahani Resident of Village- Bhurkurwa, P.S.- Rajepur, District- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Mala Devi Wife of Late Mallu Sahani Resident of Village- Lakadi Dhari Chandwara, Near- Marwadi High School, P.S.- Town, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar
For the State : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-07-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 304B, 120B, 201 of the Indian Penal Code.

Allegation against the petitioners is of committing torture



and caused death of the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. The petitioners are mother-in-law and father-in-law of the deceased respectively. They are separate in mess and property from husband of the deceased. They have no concern with the alleged occurrence. The alleged occurrence has taken place after seven years of marriage. Hence, No offence u/S 304B of the Indian Penal Code is made out.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Rajepur P.S. Case No. 123 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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