

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70179 of 2019

Arising Out of PS. Case No.-168 Year-2019 Thana- JANDAHA District- Vaishali

1. Ram Roop Sahni Son of Sakal Sahni
 2. Lukhari Devi Wife of Ram Roop Sahni
 3. Sunil Sahni Son of Ram Roop Sahni
- All are resident of Village - Bedauliya, P.S.- Jandaha, District- Vaishali

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ansul, Advocate
For the State : Mr. Prem Kumar Jha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 03-07-2020 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioners apprehend their arrest in connection with Jandaha P.S. Case No. 168 of 2019 registered for the offences punishable under Sections 304B/34 of the Indian Penal Code and ³/₄ of D.P. Act.

Petitioner no. 1 is father in law, petitioner no. 2 is mother-in-law and petitioner no. 3 is brother-in-law of the deceased. Admittedly, the marriage of deceased had taken place with co-accused Sudhir Sahni in the year 2013 and after marriage, she gave birth of two children out of the aforesaid



wedlock. Furthermore, deceased died on 27.06.2019 on account of burn injuries.

In course of investigation, some neighbours of the petitioners deposed before the investigating officer that deceased along with her husband was residing at Delhi and one month prior to her death, she along with her husband came to her matrimonial home. Furthermore, the witnesses deposed that deceased wanted to go to Delhi again but her husband was not ready and on account of that a quarrel had taken place between them.

Learned counsel appearing for the petitioners submits that petitioners do not have any concern with the affairs of husband of the deceased and as a matter of fact, deceased quarreled with her husband and after that she committed suicide. He further submits that moreover, husband of the deceased has already been sent to judicial custody, which is evident from perusal of para 81 of the case diary.

On the other hand, learned Additional Public Prosecutor opposed the prayer submitting that petitioners are in-laws of the deceased and there is allegation of demand of dowry against them and furthermore, admittedly, deceased died within seven years of her marriage due to burn injuries.



It is obvious from the above stated submissions as well as materials available on the case diary that between 2013 to 2019, no complain regarding demand of dowry as well as torture was made either by the informant or by the deceased and the aforesaid fact goes to show that deceased spent her married life happily and peacefully for near about six years.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial, Vaishali at Hajipur/concerned court in Jandaha P.S. Case No. 168 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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