

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2385 of 2021

Arising Out of PS. Case No.-358 Year-2019 Thana- MAHESI District- East Champaran

1. Bhola Sahani Son Of Shivnandan Sahani Resident Of Village - Rajua Bakhari, P.S.- Mehashi, District.- East Champaran At Motihari.
2. Bhawani Devi Wife Of Bhola Sahani Resident Of Village - Rajua Bakhari, P.S.- Mehashi, District.- East Champaran At Motihari.

.. ... Petitioner/s

Versus

THE STATE OF BIHAR

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-12-2021 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Mehashi P.S. Case no 358 of 2019 instituted for the offence under Sections 304B/34 of the Indian Penal Code.

As per allegation in the FIR, it is a case of dowry death due to non-fulfillment of dowry demand.

Learned counsel appearing on behalf of the petitioners has submitted that petitioner no. 1 is father-in-law and petitioner no. 2 is mother-in-law of the deceased. They were living separately with their son, namely, Ramakant Sahani and the



deceased. Petitioners are very old persons and have been falsely implicated in this case. It appears from para no. 28, 29 and 30 of the case diary where here-say witnesses have asserted that the deceased died due to hanging by herself. It is the husband, who is fully responsible to take care and maintain his wife. Husband is languishing in judicial custody, which reveals from para 91 of the case diary.

Learned APP for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and considering the submission made on behalf of the petitioners this Court is inclined to enlarge them on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Mehashi P.S. Case no. 358 of 2019 he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-VI, Motihari subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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