

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10410 of 2021

Arising Out of PS. Case No.-308 Year-2019 Thana- MANJHAGARH District- Gopalganj

1. BHARAT SAHNI Son of Late Adalat Sahani Resident of Village- Mungaraha, P.S. - Manjha Garha, District - Gopalganj.
2. Lalmuni Devi Wife of Bharat Sahni Resident of Village- Mungaraha, P.S. - Manjha Garha, District - Gopalganj.
3. Pahwari Sahni Son of Bharat Sahni Resident of Village- Mungaraha, P.S. - Manjha Garha, District - Gopalganj.
4. Meena Devi Wife of Pahwari Sahni Resident of Village- Mungaraha, P.S. - Manjha Garha, District - Gopalganj.
5. Radhika Kumari Daughter of Bharat Sahni Resident of Village- Mungaraha, P.S. - Manjha Garha, District - Gopalganj.

... ... Petitioners.

Versus

The State of Bihar

... ... Opposite Party.

Appearance :

For the Petitioners	:	Mr. Ramchandra Sahni, Advocate.
For the State	:	Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 02-08-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 02/03.02.2021, within four weeks of starting of the Court proceeding in physical mode in normal course.

At the very outset, learned counsel for the petitioners, through Video Conferencing, submits that the petitioner no.3, namely, Pahwari Sahni, has already been arrested by the police in this case and, as such, this application, in respect of the petitioner no.3, namely, Pahwari Sahni, to grant him the privilege of pre-arrest



bail has become infructuous and seeks permission to withdraw this application in respect of the petitioner no.3, namely, Pahwari Sahni.

Permission is accorded.

This application in respect of the petitioner no.3, namely, Pahwari Sahni, is dismissed as withdrawn.

Now, only the prayer of the petitioner nos.1, 2, 4 and 5, above named, to grant them the privilege of pre-arrest bail is being considered, through Video Conferencing.

Heard learned counsel for the petitioner nos.1, 2, 4 and 5, above named, and the learned A.P.P. for the State, through Video Conferencing.

The petitioner nos.1, 2, 4 and 5, above named, apprehend their arrest in connection with Manjha Garha P.S. Case No.308 of 2019 registered under Sections 304(B)/34 of the Indian Penal Code.

The accusation is of killing the deceased, the daughter of the informant, by her husband and other in-laws for non-fulfillment of the dowry demand within one year of her marriage and disposing of her dead body.

Learned counsel for the petitioner nos.1, 2, 4 and 5, above named, submits that, in fact, the deceased, the daughter of the informant, all of sudden, suffered from diarrhoea and in course of movement for her treatment, she died and her dead body was disposed of but with an ulterior motive, the informant has lodged the present case with false allegation. Further submission is that the



petitioner no.1, namely, Bharat Sahni, is father-in-law, petitioner no.2, namely, Lalmuni Devi, is mother-in-law, petitioner no.4, namely, Meena Devi, is Gotni and petitioner no.5, namely, Radhika Kumari, is unmarried Nanad of the deceased, the daughter of the informant. Mr. Ramchandra Sahni, learned counsel for the aforesaid petitioners, submitted at the Bar that Shatrughan Kumar, the husband of the deceased, the daughter of the informant, is already in custody.

Having considered the facts and the circumstances of the case, let the petitioner nos.1, 2, 4 and 5, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj, in connection with Manjha Garha P.S. Case No.308 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

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