

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11972 of 2022

Arising Out of PS. Case No.-142 Year-2019 Thana- DANDARI District- Begusarai

1. Kajal Devi W/O Late Bhim Sahni Resident Of Village- Rahua, P.S.- Sahebpur Kamal, Dist- Begusarai.
2. Ashok Sahni @ Ghurchun Sahni S/O Vakil Sahni R/O- Vill- Amausi, P.S.- Morkahi, Dist- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-09-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 302/34 of the Indian Penal Code.

The prosecution case as per F.I.R is that the

informant alleged that marriage of his son/deceased was

solemnized with petitioner No. 1 Kajal Devi four years

ago who was extra marital relation with his brother-in-

law, petitioner No. 2 Ashok Sahni @ Ghurchun Sahni

and when the son of the informant made protest then



many a times petitioner No. 2 threatened the son of the informant of dire consequences. Ultimately, on 22.12.2019, the son of the informant was killed by the accused persons.

It is submitted by learned counsel for the petitioners that petitioners have falsely been implicated in this case. It is further submitted that after investigation, the allegation against the petitioners were not found true and they were not sent up for trial and final form was submitted. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the inquest report shows that body of the deceased was recovered from his Sasural. The informant in his re-statement has stated that petitioner No. 1 had illicit relationship with petitioner No. 2, hence the victim committed suicide. There are



circumstantial evidence against the petitioners which connect the petitioners with the commission of crime. The postmortem report also suggests the death due to asphyxia which was result of injuries caused by hanging.

In the facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioners.

The prayer for grant of bail to the petitioners stands rejected.

(Sunil Kumar Panwar, J)

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