

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19591 of 2022

Arising Out of PS. Case No.-156 Year-2021 Thana- PHENHARA District- East Champaran

1. GARBHU SAHANI Son of Banshi Sahani
2. Laxaminiya Devi Wife of Garbhu Sahani
Both are resident of Village - Bishunpur, Basant , P.O. and P.S. - Phenhara,
District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 23-12-2022 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 304B, 120B, 201 and 34 of the Indian Penal Code.

As per the prosecution case, the informant states that he received information about the death of a 25 year old Kavita Devi. On reaching the house of Kavita Devi along with the other police personnel, it is stated that on search her dead body was recovered from the 'banswari' of one Pancham Sahani. The cause of death was not certain.



It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case only for the reason that they happen to be the father-in-law and mother-in-law of the deceased. No incriminating material has transpired in course of investigation to connect the petitioners with the alleged crime. The post-mortem report does not support the prosecution case in so far as no external injuries have been found on the body of the deceased and the cause of death is said to be asphyxia due to hanging. The petitioners are in custody since 18.12.2021 and chargesheet has been submitted in the case. Learned counsel lastly submits that as per oral instructions received, the husband of the deceased is in custody.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the material that has transpired in course of investigation, the petitioners who are the father-in-law and mother-in-law of the deceased having remained in custody since 18.12.2021 and chargesheet having been submitted in the case, the Court directs both the petitioners to be enlarged on bail in connection with Phenara P.S. Case no.156 of 2021 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned
Judicial Magistrate 1st Class, Motihari, East Champaran.

(Partha Sarthy, J)

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