

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31238 of 2022

Arising Out of PS. Case No.-233 Year-2021 Thana- BISFI District- Madhubani

1. Sukhia Devi @ Sukhiya Devi Wife of Badri Sahani Resident of Village-Khairi Banka, P.S.-Bisfi, District-Madhubani.
2. Lalita Devi Wife of Badri Sahni Resident of Village-Khairi Banka, P.S.-Bisfi, District-Madhubani.
3. Sangeeta Devi @ Nirala Devi Wife of Lalan Sahni Resident of Village-Khairi Banka, P.S.-Bisfi, District-Madhubani.
4. Lalan Sahni Son of Badri Sahni Resident of Village-Khairi Banka, P.S.-Bisfi, District-Madhubani.
5. Debu Sahni Son of Badri Sahni Resident of Village-Khairi Banka, P.S.-Bisfi, District-Madhubani.
6. Surata Sahni @ Suraj Sahni Son of Badri Sahni Resident of Village-Khairi Banka, P.S.-Bisfi, District-Madhubani.
7. Fekan Sahni @ Arjun Kumar Son of Jhapsu Sahni Resident of Village-Khairi Banka, P.S.-Bisfi, District-Madhubani.
8. Jhapsu Sahni Son of Late Yogi Sahni Resident of Village-Khairi Banka, P.S.-Bisfi, District-Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners are permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioners seek bail in a case registered for the
offences punishable under Sections 302, 304 (B) / 34 of the



Indian Penal Code.

According to prosecution case, as per F.I.R. wherein the informant Tulsi Sahni stated that the daughter of the informant namely Guriya Kumari was married with Badal Sahni on 21-05-2021 then he gave passion pro Motorcycle, gold 2 Bhar, furniture worth of Rs. 70,000/- cash Rs. 2 lakh. After marriage Badal Sahni and Badari Sahni put pressure upon his daughter to give Rs. 2 lac as dowry more and beat her so many times. He used to tell the accused persons that he is unable to fulfill the demand of dowry, but his father Badri Sahni stated that, in the event of non-fulfillment of demand of dowry, they will kill his daughter. In the night of 25-09-2021 at about 11 P.M. Badri Sahni and his two wives, daughter in law Sangeeta Devi @ Nirala Devi, Nand Sanjana Kumari, Lalan Sahni, Debu Sahni, Surta Sahni, Fekan Sahni, Jhapsu Sahni, Surta Sahni, Fekan Sahni, Jhapsu Sahni altogether wrapped rope and killed her by pressing her neck and they closed the dead body into toiled.

Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case on the basis of suspicion. He further submits that it appears from the FIR that there is general and omnibus



allegation against all the accused person including these petitioners. He further submits that petitioner No. 1 and 2 are mother-in-law of the deceased, petitioner no. 3 is sister-in-law, petitioner no. 4 brother-in-law, petitioner no. 5 and 6 is also brother-in-law of the deceased, petitioner no. 7 is the cousin brother-in-law and petitioner no.8 is cousin father-in-law are the deceased. He further submits that they have no concern at all with the present occurrence and as per FIR there is direct allegation against husband of the deceased and father of the deceased. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioner No. 1 to 7 are in custody since 08.02.2022 and petitioner no. 8 is in custody since 05.10.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that petitioner nos. 1, 2, 4 and 5 carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bisfi



(Aunsi) P.S. Case No. 233 of 2021, subject to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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