

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38322 of 2020

Arising Out of PS. Case No.-86 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. ADAYA SAHANI S/O SUKAT SAHANI RESIDENT OF VILLAGE-BASMAN BHAWANIPUR, POLICE STATION-MUFFASIL, MOTIHARI, DISTRICT-EAST CHAMPARAN.
 2. DEVLAL SAHANI S/O SUKAN SAHANI RESIDENT OF VILLAGE-BASMAN BHAWANIPUR, POLICE STATION-MUFFASIL, MOTIHARI, DISTRICT-EAST CHAMPARAN.
 3. SUDHAN SAHANI S/O SUKAN SAHANI RESIDENT OF VILLAGE-BASMAN BHAWANIPUR, POLICE STATION-MUFFASIL, MOTIHARI, DISTRICT-EAST CHAMPARAN.
 4. KAILASH SAHANI S/O SUKAN SAHANI RESIDENT OF VILLAGE-BASMAN BHAWANIPUR, POLICE STATION-MUFFASIL, MOTIHARI, DISTRICT-EAST CHAMPARAN.
 5. BADYA SAHANI S/O SUKAN SAHANI RESIDENT OF VILLAGE-BASMAN BHAWANIPUR, POLICE STATION-MUFFASIL, MOTIHARI, DISTRICT-EAST CHAMPARAN.
 6. SUKHAN SAHANI @ SUKAN SAHANI S/O BALCHANDRA SAHANI RESIDENT OF VILLAGE-BASMAN BHAWANIPUR, POLICE STATION-MUFFASIL, MOTIHARI, DISTRICT-EAST CHAMPARAN.
 7. PHULA DEVI W/O KAILASH SAHANI RESIDENT OF VILLAGE-BASMAN BHAWANIPUR, POLICE STATION-MUFFASIL, MOTIHARI, DISTRICT-EAST CHAMPARAN.
 8. KIMA DEVI W/O DEVLAL SAHANI RESIDENT OF VILLAGE-BASMAN BHAWANIPUR, POLICE STATION-MUFFASIL, MOTIHARI, DISTRICT-EAST CHAMPARAN.
 9. SAVITRI DEVI W/O SHATRUDHAN SAHANI RESIDENT OF VILLAGE-BASMAN BHAWANIPUR, POLICE STATION-MUFFASIL, MOTIHARI, DISTRICT-EAST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.
For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-01-2022 Heard the parties through virtual court proceedings.



The petitioners apprehend their arrest in a case in connection with Muffasil Motihari P.S. Case No.86 of 2020, registered for the offence punishable under Sections 304(B), 201/34 of the Indian Penal Code.

The allegation against the petitioners is that they along with other FIR named accused persons under conspiracy have killed the informant's sister for non-fulfilment of demand of dowry and thrown the dead body in the Bhokhrayana Chawar.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged has ever taken place. Petitioner nos.1 to 5 are the brothers-in-law of the deceased, petitioner no.6 is the father-in-law of the deceased and petitioner nos.7 to 9 are the sisters-in-law of the deceased. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is further stated that the petitioners have been living separately from the deceased and the husband of the deceased and are not concerned with family affairs of the deceased. It is submitted that the deceased was running *Gandhi Jiwika Samooh* and for taking loan of Rs.1000/-, she had gone to visit the informant but did not return



and her dead body was recovered after six days. During trial, husband of the deceased has been acquitted vide Sessions Trial No.87/2021 dated 10.12.2021. The petitioners have no criminal antecedent and the similarly situated co-accused, namely, Rupesh Kumar has been enlarged on bail by a co-ordinate Bench of this court vide order dated 10.08.2021, passed in Cr. Misc. No.37193 of 2020.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the similarly situated co-accused has been granted anticipatory bail, let the above named petitioners, be also released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Muffasil Motihari P.S. Case No.86 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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