

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1753 of 2022

Arising Out of PS. Case No.-131 Year-2021 Thana- SINGHWARA District- Darbhanga

1. UMESH SAHNI Son of Late Ram Bilash Sahni Resident of Village- Bhajora Tole, Bhagwanpur, P.S.- Singhwara, District- Darbhanga.
2. Bina Devi Wife of Umesh Sahni Resident of Village- Bhajora Tole, Bhagwanpur, P.S.- Singhwara, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sital Sahni Son of Ruplal Sahni Resident of Village- Ranipur (Basait), P.S.- Benipatti, District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha, Advocate
For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 328, 304(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent, are father-in-law and mother-in-law of the deceased, it is next submitted that the informant instituted the FIR under misconception alleging that his daughter was married to the son of the petitioner about six years back and after marriage, dowry was being demanded and



for non-fulfillment of the demand of dowry, his daughter was killed.

Learned counsel for the petitioners submits that the informant realizing his mistake has filed a compromise petition in the learned Trial Court, it is next submitted that since the informant does not intend to pursue the case against the accused persons, as such sending the petitioners to jail will not serve any purpose, further if during the course of trial, the prosecution is able to prove his case, the petitioner will have to face the consequences. Learned counsel next submits that the allegations are general and omnibus in nature and the informant is not an eyewitness to the occurrence.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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



Singhwara P.S. Case No. 131 of 2021 subject to the conditions
as laid down under Section 438 (2) of the Cr.P.C.

The learned Trial Court before accepting the bail
bonds of the petitioners shall notice to the informant and in the
event, the informant submits that the compromise is genuine
then the present order shall be acted upon and if the informant
denies the compromise, then the present ordered shall not be
acted upon.

(Satyavrat Verma, J)

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