

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5807 of 2023

Arising Out of PS. Case No.-551 Year-2022 Thana- BAGHA District- West Champaran

1. CHHOTEY LAL SAHNI Son of Late Jagat Sahni R/V- Anand Nagar P.S- Bagaha, Dist- West Champaran
2. Chinta Devi Wife of Chhotey Lal Sahni R/V- Anand Nagar P.S- Bagaha, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Kumar

For the Opposite Party/s : Mr.Rajendra Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 02-05-2023 Heard the learned counsel for the petitioners as well as the learned counsel for the informant.

The petitioners are seeking regular bail in connection with Bagaha P.S. Case No. 551 of 2022, registered for offence punishable under Section 304(B) of the Indian Penal Code.

As per allegation, Subhash Sahni is informant of this case. He makes allegation that his daughter Anita Devi was married to Anil Sahni, son of the petitioners, in the year 2017. Anil Sahni left his wife for two years and the members of matrimonial house were inflicting atrocities on her. Co-accused Anil Sahni has also lodged a divorce case against his wife Anita Devi. The accused persons were demanding Rs. 3,00,000/- cash.



On 06.08.2022, the accused persons named in the FIR, including the petitioners, strangled Anita Devi to death for non-fulfillment of demand of dowry.

The learned counsel for the petitioners has submitted that the petitioners are the father and mother of the husband Anil Sahni and have falsely been implicated in this case. The allegation against the husband is that he fled away after leaving his wife (deceased) for two years. There is also allegation against the husband that he filed a divorce case against his wife. The petitioners are parents of the husband of the deceased Anita Kumari and it was the reason that they have falsely been implicated in this case. They are incarcerated in custody since 08/08/2022.

On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the allegation of demand of dowry as well as torturing the deceased is also against the petitioner.

Considering the above-mentioned facts and circumstances, especially the fact that the specific allegation was against the husband for leaving his wife for two years and the petitioners are under custody since 08/08/2022, let the petitioners above-named be released on bail on furnishing bail



bonds of Rs.10,000/- (ten thousand rupees) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with Bagaha P.S. Case No. 551 of 2022, subject to the following conditions:-

(i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(ii) If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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