

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9979 of 2022

Arising Out of PS. Case No.-528 Year-2021 Thana- SARAIYA District- Muzaffarpur

PAPPU SAHNI Son of Late Rajendra Sahni Resident of Village - Marwa
Pakar Ramdauli, P.s.- Saraiya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 10396 of 2022

Arising Out of PS. Case No.-528 Year-2021 Thana- SARAIYA District- Muzaffarpur

1. BINDU DEVI wife of Late Rajendra Sahni Resident of Village - Marwa
Pakar Ramdauli, P.S. - Saraiya, District- Muzaffarpur.
2. Sharda Devi Daughter of Rajendra Sahni, Wife of Godhan Sahni Resident of
Village - Marwa Pakar Ramdauli, P.S. - Saraiya, District- Muzaffarpur.
3. Golu Sahni Son of Late Rajendra Sahni Resident of Village - Marwa Pakar
Ramdauli, P.S. - Saraiya, District- Muzaffarpur.
4. Manoj Sahni Son of Bishun Sahni Resident of Village - Marwa Pakar
Ramdauli, P.S. - Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 9979 of 2022)

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

(In CRIMINAL MISCELLANEOUS No. 10396 of 2022)

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Madhura Nand Jha

For the State : Mr. Shailendra Kumar

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

ORAL ORDER

4 02-01-2023 The learned counsel for the petitioners is directed to
remove all the defects pointed out by the office within one



month.

Heard the learned counsel for the petitioners as well as Mr. Shailendra Kumar, learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Saraiya P.S. Case No. 528 of 2021, registered for the offences punishable under Sections 304(B) and 201/34 of the Indian Penal Code.

The petitioner Bindu Devi is mother-in-law and the petitioner Pappu Sahni is husband of the deceased Savita Devi. The informant is mother of the deceased Savita Devi. She has made allegation that the marriage of the deceased and the son of the informant was solemnized four years prior to lodging of the FIR. The accused persons subjected her to cruelty for non-fulfilment of demand of a motorcycle. Ultimately, they committed dowry death of the deceased in the State of her pregnancy.

The learned counsel for the petitioners has submitted that entire allegation is false. As a matter of fact, the deceased prior to her marriage with the petitioner Pappu Sahni, was in love and affection with another person and she fled away with him and in this respect, the petitioner Bindu Devi filed



complaint petition no. 746 of 2021 in the Court of Additional Chief Judicial Magistrate, Muzaffarpur, which is annexure-2. He has also submitted that when the informant came across the real fact, she filed an affidavit, in which she has mentioned that her daughter had fled away with unknown person, none has committed her murder.

On the other hand, Mr. Shailendra Kumar, the learned Additional Public Prosecutor, has submitted that in paragraph nos. 2, 6, 7, 8 and 20 of the case diary, the witnesses have supported the entire occurrence and allegation against the petitioners.

The complaint petition filed by the petitioner Bindu Devi is prior to the present FIR with allegation that Savita Devi, her daughter-in-law, had fled away with unknown person. This fact was corroborated by the informant herself by filing her affidavit, which is annexed with the record.

Considering the above-mentioned facts and circumstances, the petitioners above-named, in the event of their arrest or surrender, within four weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, West



Muzaffarpur in connection with Saraiya P.S. Case No. 528 of 2021, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Nirmal/HR

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