

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45386 of 2023

Arising Out of PS. Case No.-87 Year-2023 Thana- PIPRA District- East Champaran

1. Ramswaroop Sahani son of Late Bujhavan Sahani Village- Tikuliya Ps- Pipra Dist- East Champaran
2. Upendra Sahani son of Ramswaroop Sahani Village- Tikuliya Ps- Pipra Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abtheirhek Kumar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 26-09-2023 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. Petitioners seek bail where petitioner, namely, Ramswaroop Sahani is in custody since 18.03.2023 and petitioner, namely, Upendra Sahani is in custody since 26.03.2023 in connection with Pipra P.S. Case No. 87 of 2023, F.I.R. dated 17.03.2023 for the offences punishable under Sections 302, 304B, 201/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including the petitioners have killed the daughter of the informant due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case only on the ground that the petitioner, namely, Ramswaroop Sahini is the father-in-law of the deceased and petitioner, namely, Upendra Sahani is the husband of the deceased. He further submits that the marriage of the deceased with petitioner, Upendra Sahani was performed 15 years ago and she has no complain with the family members of the petitioners. He further submits that she has committed suicide herself.

5. The learned Additional Public Prosecutor on the basis of material available on record and the case diary has vehemently opposed the prayer for bail of the petitioners and submits that after committing the murder of the deceased, the petitioners were trying to dispose of the dead body near the Dhanauti River and the said dead body has been recovered near the Dhanauti River. He further submits that it has come during investigation in paragraph nos. 18 and 19 of the case diary that the petitioners were trying to mislead the prosecution party and the postmortem report also suggests that the cause of death Asphyxia due to hanging.

7. Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioners on bail in connection



with Pipra P.S. Case No. 87 of 2023 pending in the court of
learned Sub Divisional Judicial Magistrate, Sadar, Motihari,
East Champaran.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

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