

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53872 of 2023

Arising Out of PS. Case No.-331 Year-2020 Thana- BIBHUTIPUR District- Samastipur

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1. Kavita Devi Wife Of Rajesh Sahni Resident Of Village- Phulwariya, Ps- Bibhutipur, Dist- Samastipur
 2. Rajesh Sahni Son Of Nanhki Sahni Resident Of Village- Phulwariya, Ps- Bibhutipur, Dist- Samastipur
- Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Jitendra Narain Sinha, Advocate
For the Opposite Party : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Bibhutipur P.S. Case No. 331 of 2020 dated 10.11.2020, instituted for the offence punishable under Sections 304B and 201 of the Indian Penal Code.

3. The case of prosecution, in short, is that the accused persons killed the sister of the informant due to non-fulfillment of dowry demand and hid her dead body.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have falsely been implicated in this case. It is submitted that the petitioner No. 2 is the elder brother of the husband of the deceased and petitioner No. 1 is the wife of the petitioner No. 2. It is further submitted that it is



apparent from the *fardbeyan* that the informant received the information of the alleged occurrence on 06.11.2020 but the *fardbeyan* and F.I.R. were lodged on 10.11.2020 and the said F.I.R. was received in Court on 18.11.2020. Further, it is submitted that the petitioners are residing separately from his younger brother (husband of the deceased) and has no concern with his family. Lastly, it has been submitted that they have no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Bibhutipur P.S. Case No. 331 of 2020, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Rosera, District – Samastipur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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