

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3206 of 2023**

Arising Out of PS. Case No.-30 Year-2022 Thana- MAHILA P.S. District- Vaishali

1. Sunaiyna Devi Wife Of Raghuvir Sahni
2. Raghuvir Sahni Son Of Kishun Sahni
3. Neha Kumari D/O Raghuvir Sahni
4. Sapana Kumari D/O Raghuvir Sahni
All R/O Village- Prataptand, P.S.- Bhagwanpur, District- Vaishali
5. Yogendra Sahni @ Yogend Sahni Son Of Late Dahour Sahni
6. Pankaj Sahni Son Of Yogendra Sahni, Both R/O Village- Chajan, P.S.-
Turki, District- Muzaffarpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. JYOTI KUMARI D/O GAURI SAHNI R/O VILLAGE- MADHUSUDAN
PAKADI, P.S.- LALGANJ, DISTRICT- VAISHALI

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha, Advocate

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 22-05-2023 Heard learned counsel for the petitioners and the
learned APP for the State

The petitioners apprehend their arrest in connection with Mahila P.S. Case No.30 of 2022 instituted under Sections 341, 323, 498(A), 368, 365, 354(B), 379, 504, 506/34 of the Indian Penal Code and Section 3/4 of the D.P. Act lodged on 05.08.2022 by the informant Jyoti Kumari.

As per the prosecution story, the informant was married with Aman Kumar in a temple as love marriage. The informant and Aman had physical relation for about two years.



After marriage of the informant on 08.02.2022, when she went to her Sasural along with her husband Aman, her in-laws and his son demanded Rs. 5 lakhs cash and Apache vehicle. On refusal by the informant's parent, all of them assaulted her and her mother-in-law ousted her by dragging her and her husband Aman was disappeared by the people of her Sasural and Mama of Aman. Her husband is still traceless. It is further alleged that a false case has been lodged by the people of her Sasural against the informant and her parents for killing Aman which is false and since then the informant is living in her Maik. It is further alleged that on 14.07 2022 when the informant went to her Sasural, the accused persons locked the house and she was assaulted and they did not allow her to enter in the house On 15.07.2022 when the informant went in the house with the help of villagers, she was assaulted and misbehaved by her mother-in-law. Nanad and Mama of Aman and they also tore her clothe and snatched her mobile and ousted her from the house. Accordingly, the FIR.

At the outset, learned counsel for the informant has drawn the attention of the Court to the assault that was made to the lady, after which she was thrown out of the house and such has opposed the prayer for anticipatory bail.



Learned counsel for the petitioners at this stage submits that at least the women accused who are young be considered for relief.

Taking into account the fact that the petitioner no.1 Sunaina Devi, while petitioner no.3 Neha Kumari and petitioner no.4 Sapna Kumari are only 20 years and 18 years of age, case filed ultimately they will have to face the music, this Court is inclined to grant him privilege of anticipatory bail.

So far as the other accused persons namely, Raghubir Sahni (petitioner no.2), Yogendra Sahni (petitioner no.5) and Pankaj Sahni (petitioner no.6) are concerned, considering the allegation they do not deserve anticipatory bail.

Let the petitioner no.1 Sunaina Devi, petitioner no.3 Neha Kumari and petitioner no.4 Sapna Kumari be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Mahila P.S. Case No.30 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:



(i) one of the bailor should be the family member of the petitioners who shall provide official document to show her bona fide;

(ii) the petitioners will make themselves available to the police as and when required in course of investigation;

(iii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial court itself;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /
Sunil

U		T	
---	--	---	--

