

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7510 of 2024

Arising Out of PS. Case No.-73 Year-2023 Thana- TEGHRHA District- Begusarai

1. Bijli Sahni @ Bijo Sahni S/O- Budhu Sahni R/O- Village- Fardi Pipra, P.O- Manpur, P.S.- Teghra, Dist.- Begusarai.
2. Sriram Sahni @ Siriram S/O- Bijli Sahni R/O- Village- Fardi Pipra, P.O- Manpur, P.S.- Teghra, Dist.- Begusarai.
3. Mamita Kumari W/O- Sri Ram Sahni @ Sriram R/O- Village- Fardi Pipra, P.O- Manpur, P.S.- Teghra, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Braj Bhusan Poddar, Advocate
For the State	:	Mrs. Suman Kumari Singh, APP
For the Informant	:	Mr. Ashok Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-03-2024 Learned counsel for the petitioner is directed to correct the name of the petitioner no.3 in course of the day.

2 Heard Mr. Braj Bhusan Poddar, learned counsel for the petitioners, Mr. Ashok Kumar, learned counsel for the informant and Mrs. Suman Kumari Singh, learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Teghra P.S. Case No. 73 of 2023, F.I.R. dated 21.02.2023 for the offences punishable under Sections 304B and 34 of the Indian Penal Code.

4. According to prosecution case, petitioners along with other co-accused persons said to have killed the daughter



of the informant on non-fulfillment of the demand of dowry.

5. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case in fact the deceased has committed suicide herself. He further submits that from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt act or demand of dowry rather general and omnibus allegation against all the accused persons including these petitioners. He further submits that petitioner no.1 is father-in-law, petitioner no.2 is brother-in-law and petitioner no.3 is sister-in-law of the deceased and husband of the deceased, namely, Balram Sahni is already in judicial custody since 17.12.2023.

6. Learned counsel for the informant as well as learned Additional Public Prosecutor for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioners and submits that petitioners are named in the FIR and there is specific allegation against them that they have demanded dowry from the family members of the deceased.

7. Considering the aforesaid facts, the petitioners having clean antecedent, there is no specific allegation of any assault or overt act and husband of the deceased is already in



judicial custody, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate in connection with Teghra P.S. Case No. 73 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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