

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17981 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- SANGRAMPUR District- East
Champaran

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1. Munirka Sahani @ Manerika Sahani Son of Baldev Sahani Resident of vill.-Shreepur Nawada, P.S.-Pakridayal, Distt.-East Champaran
 2. Mahalari Devi @ Som Devi Wife of Ramugrah Sahani Resident of vill.-Shreepur Nawada, P.S.-Pakridayal, Distt.-East Champaran
 3. Dhoopnath Sahani @ Dhruvnath Sahani Son of Baldev Sahani Resident of vill.-Shreepur Nawada, P.S.-Pakridayal, Distt.-East Champaran
 4. Soshila Kumari @ Seshila Kumari @ Sushila Kumari D/O Ramugrah Sahani Resident of vill.-Shreepur Nawada, P.S.-Pakridayal, Distt.-East Champaran
 5. Amarjeet Sahani @ Anarjeet Sahani Son of Ramugrah Sahani Resident of vill.-Shreepur Nawada, P.S.-Pakridayal, Distt.-East Champaran
 6. Devendra Sahani @ Devendra Kumar Sahani Son of Ramugrah Sahani Resident of vill.-Shreepur Nawada, P.S.-Pakridayal, Distt.-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-03-2024 Heard Mr. Sarvesh Kashyap, learned counsel for

the petitioners as well as Mr. Nirmal Kumar Sinha, learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Sangrampur P.S. Case No. 303 of 2023, F.I.R.
dated 21.08.2023 for the offences punishable under Sections
304(B)/34 of the Indian Penal Code.

3. According to prosecution case, all the F.I.R named



accused persons including the husband 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. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. He further submits that from perusal of the F.I.R it is alleged that all the F.I.R named accused persons have killed the daughter of the informant by assaulting her with the help of iron rod. He further submits that the informant is not the eye witness of the alleged occurrence and merely on the basis of suspicion the petitioners have been made accused in the present case. He further submits that petitioner nos. 1 and 3 are the cousin brothers-in-law, petitioner no. 2 is mother-in-law, petitioner no. 4 is sister-in-law and petitioner nos. 5 and 6 and are brothers-in-law of the deceased and the husband of the deceased, namely, Arjun Sahani is in judicial custody since 24.08.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners are named in the F.I.R and the occurrence took place within 7 years of the marriage.



6. Considering the aforesaid facts and circumstances, 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 bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Sangrampur P.S. Case No. 303 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers 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 bond 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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