

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46431 of 2024

Arising Out of PS. Case No.-161 Year-2023 Thana- RAJEPUR District- East Champaran

1. MALA KUMARI D/O- GHOSH @ GHOSHA SAHANI VILLAGE- ISMAILA, P.S.- RAJEPUR, DISTT.- EAST CHAMPARAN
2. SHANTI DEVI W/O- GHOSH @ GHOSHA SAHANI VILLAGE- ISMAILA, P.S.- RAJEPUR, DISTT.- EAST CHAMPARAN
3. VIKASH SAHANI SON OF GHOSH @ GHOSHA SAHANI VILLAGE- ISMAILA, P.S.- RAJEPUR, DISTT.- EAST CHAMPARAN
4. RAGINI DEVI W/O- VIKASH SAHANI VILLAGE- ISMAILA, P.S.- RAJEPUR, DISTT.- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

3 23-08-2024 Heard learned counsel for the petitioners as well as the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Rajepur P.S. Case No. 161 of 2023, registered for the offences punishable under Sections 304 B, 34 of the Indian Penal Code.

3. As per allegation, the marriage of daughter of the informant was solemnized with co-accused Munna Sahni. The accused persons demanded motorcycle in dowry. When the deceased expressed her inability to fulfill the demand. The accused persons committed her murder and cremated the dead body.

4. Learned counsel for the petitioner has submitted that the petitioner no. 1 is sister-in-law (*nanad*), petitioner no. 2 is mother-in-law, petitioner no. 3 is brother-in-law, and petitioner no. 4



is sister-in-law (*gotni*) of the deceased. They have no concern with day-to-day affairs of the couple. Further submission is that the husband is already in custody. Learned counsel has also submitted that in the FIR, the allegation of demand of motorcycle has been made and that motorcycle is not supposed to be used by the petitioners and they are not concerned with that demand.

5. On the other hand, learned APP, Shri Shailendra Kumar has submitted that one neighbour of the informant, in paragraph no. 11 of the case diary, has stated that he heard that accused persons were torturing the deceased for non-fulfillment of demand of dowry and they have committed her murder.

6. The petitioners are in-laws of the deceased. They are not supposed to be concerned with the demand of a motorcycle.

7. Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, 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 learned C.J.M., East Champaran at Motihari in connection with Rajepur P.S. Case No. 161 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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