

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83376 of 2023

Arising Out of PS. Case No.-236 Year-2023 Thana- KUDHNI District- Muzaffarpur

1. MOHIT SAHNI S/O LATE MANKI SAHNI VILLAGE- CHARKORIYA, PS. KUDHANI (TURKI O.P.), DIST. MUZAFFARPUR.
2. FULA DEVI @ KULA DEVI W/O MOHIT SAHNI VILLAGE- CHARKORIYA, PS. KUDHANI (TURKI O.P.), DIST. MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 07-03-2024 1. Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

2. The accused/petitioners are named in the F.I.R. and apprehending their arrest in connection with Kudhani (Turki O.P.) P.S. Case No. 236 of 2023 registered for the offences punishable under Sections 304 (B) and 120 (B)/34 of the Indian Penal Code.

3. The allegation against the petitioners is to cause death of daughter of informant alongwith other co-accused persons/family members, due to non-fulfillment of demand of dowry as raised for one bullet motorcycle.



4. Learned counsel appearing on behalf of the petitioners submitted that petitioners have been falsely implicated, where petitioner no. 1 is father-in-law and petitioner no. 2 is mother-in-law. It is submitted that allegation against petitioners is appearing very much general and omnibus as petitioners were living separately and having no connection with daily and domestic affairs of deceased and her husband. It is submitted that cause of death appears suicide, where nothing surfaced during the course of investigation, which may suggest that the act of petitioners were so active or direct, which may force daughter of informant to commit suicide and in support of submissions learned counsel relied upon the report of Hon'ble Supreme Court in the case of **Gurcharan Singh Vs. State of Punjab** as reported in **(2017) 1 SCC 433**. While concluding the argument it is submitted that petitioner are of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for bail.

6. In view of the facts and circumstances as mentioned above and by taking note of the fact, that petitioners are in-laws and living separately, accordingly both petitioners above named, in the event of their arrest or surrender before the learned Trial Court within a period of four weeks, is directed to



be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, West, Muzaffarpur/concerned Court where the case is pending in connection with Kudhani (Turki O.P.) P.S. Case No. 236 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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