

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.287 of 2024

Arising Out of PS. Case No.-398 Year-2017 Thana- AHIYAPUR District- Muzaffarpur

1. PRAMILA DEVI WIFE OF KISHORI SAHNI RESIDENT OF VILLAGE-DADAR KOLUA, POLICE STATION- AHIYAPUR, DISTRICT-MUZAFFARPUR
2. SONU KUMAR SON OF KISHORI SAHNI RESIDENT OF VILLAGE-DADAR KOLUA, POLICE STATION- AHIYAPUR, DISTRICT-MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nawal Kishore Prasad , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-04-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections Sections 304B and 34 of the Indian Penal Code .

3. As per the prosecution case , niece of the informant was married with one *Arun Sahni* and soon after the marriage, all the FIR named accused persons including these petitioners started demanding dowry and due to non-fulfillment of the same she was assaulted and tortured in various ways. It is further alleged that on 26.05.2017 at about 4 A.M. informant received telephonic information that his niece had received burn injuries



and was being treated at SKMCH and due to burning she was not able to speak . Informant alleged that these petitioners along with other co-accused persons caused death of her niece .

4. It is submitted by learned counsel for the petitioner that petitioner No. 1 is mother-in-law and petitioner No. 2 is *devar* of the deceased. They have been falsely implicated in this case only with a view to extort money . Informant is not a uncle of the deceased rather he is the co-villager of the deceased. Petitioners have got no concern with the affairs of the deceased and her husband. It is further submitted that during course of investigation, mother and brother of the deceased, in their statement recorded under Section 164 of Cr.P.C., have stated that as a matter of fact, the deceased got fire in her *saree* while she was preparing food and no one has set her on fire . Similarly situated co-accused persons have already granted regular bail by this Court vide order dated 21.03.2024 in Cr. Misc. No. 309 of 2024 . Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case , in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged 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 , Muzaffarpur in connection with Ahiyapur P.S. Case No. 398 of 2017 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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