

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84534 of 2023

Arising Out of PS. Case No.-343 Year-2023 Thana- CHIRAIYA District- East Champaran

1. Jaga Sahani Son Of Late Tokha Sahani Resident Of Village- Lalbagiya, P.S.- Chiraiya, District- East Champaran
2. Sri Devi Wife Of Jaga Sahani Resident Of Village- Lalbagiya, P.S.- Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunny Kumar, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 16-05-2024 Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners apprehend their arrest in connection with Chiraiya P.S. Case No. 343 of 2023 registered under Sections 304B and 34 of the Indian Penal Code.

3. The prosecution story, in brief, is that the marriage of the daughter of the informant was solemnized with Laxmi Sahani in 2018 and from their wedlock a male child was born and thereafter, due to illness, Laxmi Sahani died in the year 2019. After the death of Laxmi Sahani, the marriage of the daughter of the informant was solemnized with co-accused



Prince Sahani @ Muktilal Sahani who is younger brother of Laxmi Sahani and from their wedlock a male child was also born. Thereafter, due to some family dispute, all the accused persons including these petitioners committed murder of daughter of informant.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. Further submission is that petitioners are father-in-law and mother-in-law of the deceased respectively. The petitioners are living separately from his son Prince Kumar @ Muktilal Sahani. It is lastly submitted that the petitioners have got no criminal antecedent.

5. Learned A.P.P. for the State vehemently opposed the prayer for bail by contending that due to family dispute, all the accused persons including these petitioners committed murder of the daughter of informant by assaulting and pressing her neck. On perusal of postmortem report, the cause of death is mentioned as Asphyxia due to hanging caused by ligature material. Hence, petitioners do not deserve the privilege of anticipatory bail.

6. Having considered the facts and circumstances of the case and nature of allegation as well as material available on



record, this Court is not inclined to grant anticipatory bail to the
petitioners.

(Prabhat Kumar Singh, J)

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