

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5113 of 2024

Arising Out of PS. Case No.-39 Year-2022 Thana- AHIYAPUR District- Muzaffarpur

1. Budhan Sahni S/o Yogendra Sahni R/o Village Vijay Chhapra, P.S-Ahiyapur, Distt.-Muzaffarpur.
2. Gujar Devi W/o Budhan Sahni R/o Village Vijay Chhapra, P.S-Ahiyapur, Distt.-Muzaffarpur.
3. Karo Sahni @ Singeshwar Sahni S/o Yogendra Sahni R/o Village Vijay Chhapra, P.S-Ahiyapur, Distt.-Muzaffarpur.
4. Surendra Sahni @ Sunil Sahni S/o Yogendra Sahni R/o Village Vijay Chhapra, P.S-Ahiyapur, Distt.-Muzaffarpur.
5. Dhiraj Sahni @ Dhiraj Kumar S/o Budhan Sahni R/o Village Vijay Chhapra, P.S-Ahiyapur, Distt.-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate
For the Opposite Party/s : Mr. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-02-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Ahiyapur P.S. Case No. 39 of 2022 for the offence under Sections 304(B), 201 and 34 of the I.P.C. lodged on 15.01.2022, by the informant, Uttim Sahni.

3. As per the prosecution story, the son of the petitioner No. 1 namely Jitendra Sahni was married to the lady in the year 2016 but she was always tortured by him for dowry. On the fateful day, 14.01.2022, she was killed.



Accordingly, the FIR.

4. Learned counsel for the petitioners submit that they are father-in-law, mother-in-law, cousin fathers-in-law as also brother-in-law of the deceased, nothing to do with the couple living separately and they are only implicated because they are family members of Jitendra Sahni.

5. Learned counsel for the petitioner further submits that the husband Jitendra Sahni is in custody.

6. Learned APP opposes the prayer.

7. Taking into account the submissions put forward by the parties as also the fact that they are family members, do not have criminal antecedent and the FIR is lodged, ultimately they will be facing the trial.

7. Let the petitioners be released on bail in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 39 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family member of the petitioners who shall provide official document to show their bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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