

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3156 of 2024

Arising Out of PS. Case No.-275 Year-2023 Thana- MADHUBAN District- East Champaran

1. RAJU SAHANI Son of Late Shivbalak Sahani Resident of Village-Kothia, P.S.-Madhuban, District-East Champaran.
2. SHOBHA DEVI @ SHAVIT DEVI Wife of Raju Sahani Resident of Village-Kothia, P.S.-Madhuban, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Adv.

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 11-03-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in a case in connection with Madhuban P.S. Case No. 275 of 2023, G.R. No. 3713 of 2023 dated 16.06.2023 registered for the offence/s punishable u/ss 302, 304B and 201 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioners and the co-accused persons are alleged to have killed the informant's sister and cremated her dead body due to non-fulfillment of demand of Rs. 3,00,000/- as dowry.

5. Learned counsel for the petitioners has submitted



that the petitioners have falsely been implicated in this case. The husband of the deceased is already in custody. The petitioner no. 1 is the father-in-law and the petitioner no. 2 is the mother-in-law of the deceased. The petitioners neither demanded any dowry nor tortured the deceased. There is general and omnibus allegation against the petitioners. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court vide order dated 20.12.2023 passed in Cr. Misc. No. 64138 of 2023. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioners. It is submitted that the petitioners used to torture the deceased on account of dowry.

7. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, East Champaran at Motihari in connection with Madhuban P.S. Case



No. 275 of 2023, G.R. No. 3713 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

9. The application stands allowed.

(Chandra Prakash Singh, J)

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