

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39016 of 2025

Arising Out of PS. Case No.-367 Year-2015 Thana- KANTI District- Muzaffarpur

1. Fuldev Sahani S/o Late Jag Mohan Sahani Resident of Village- Shyampur, P.S- Kanti, P.O- Kabilpur, District- Muzaffarpur
2. Shail Devi W/o Fuldev Sahani Resident of Village- Shyampur, P.S- Kanti, P.O- Kabilpur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Jha, Adv.

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-06-2025 Heard Learned Counsel for the petitioners and
Learned A.P.P for the State.

2. The petitioners are apprehending arrest in connection with Kanti Thermal Power P.S. Case No.367 of 2015, for the offence punishable under Sections 304(B)/34 of the IPC.

3. As per the prosecution, the FIR has been lodged against three named accused persons including the petitioners with allegation that they in connivance with each other killed the daughter of the informant.

4. Learned Counsel for the petitioners submits that the petitioner are innocent and have committed no offence. Counsel



also submits that from the contents of FIR, it becomes crystal clear that it is the brother-in-law (dewar) who used to assault the daughter of the informant. He further submits that threat was also given from dewar and not at the hand of petitioners.

5. Counsel further submits that petitioner No.1 is an old aged father-in-law about 79 years and petitioner No.2 is an old aged mother-in-law about 65 years. He further submits that criminal antecedent of the petitioners is clean.

6. Counsel also submits that both father-in-law and mother-in-law are not living with the deceased rather they are living with the younger son. He also submits that petitioners are old aged person and they are not in a position to do their day to day work without help of others.

7. Learned APP for the State opposes the prayer for bail of the petitioners and submits that criminal antecedent of the petitioners is clean. He further submits that post-mortem report, abrasion has been found on the body of the deceased.

8. As such, in the present facts and circumstances of this case that the petitioners are old aged person having series of ailments, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on



furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of A.C.J.M.-1st West Muzaffarpur, in connection with Kanti Thermal Power P.S. Case No.367 of 2015, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

Prakashmani/-

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