

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49194 of 2024

Arising Out of PS. Case No.-18 Year-2021 Thana- SANGRAMPUR District- East
Champaran

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1. Sinhashan Sahani @ Singasan Sahani @ Singhashan Sahani Son of Late Jittan Sahani
 2. Shobha Devi Wife of Mohan Sahani
Both are Resident of Village-Bariyariya, Police Station - Sangrampur,
District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari, Advocate
For the Opposite Party/s : Mr.Murli Dhar,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 30-01-2025 Heard Mr.Sanjay Kumar Tiwari, learned counsel for

the petitioners and Mr.Murli Dhar, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Sangrampur P.S. Case No.18 of 2021, dated
20.01.2021 registered for the offences punishable under Section
304(B),201/34 of IPC.

3. Allegation against the petitioners is that they
alongwith other co-accused persons have in furtherance of their
common intention committed the dowry death of the daughter
of the informant.

4. Learned counsel appearing for the petitioners



submits that the petitioners have clean antecedent. They have falsely been implicated in the present case merely on the ground that the petitioners are father-in-law and sister-in-law of the deceased. Further submits that as per allegation in the FIR that after committing the crime in question the petitioners alongwith other co-accused persons have disposed of the dead body of the deceased and on the basis of the confessional statement of the co-accused person, namely, Mohan Sahni, police recovered the remain dead body of the deceased and the same was sent for DNA analysis.

5. A report has been received from the office of the Director, F.S.L., Patna dated 11.01.2025 which suggests that “*the human female DNA profile obtained from exhibit marked-A (Source-Blood sample of Kumari Devi) can not be matched with exhibit marked-1(Source-Charred bone piece) as no DNA profile has been obtained from it*”.

6. Learned counsel for the petitioner submits that in view of the DNA report it appears that the recovered remain dead body is not belonged to the daughter-in-law of petitioner No.1 so the allegation against the petitioners is false and fabricated.

7. Learned A.P.P. for the State has vehemently



opposed the prayer for anticipatory bail of the petitioners.

8. Considering the aforesaid facts and petitioners have clean antecedent, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Sangrampur P.S. Case No.18 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at



any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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