

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61789 of 2024

Arising Out of PS. Case No.-26 Year-2015 Thana- HATHAURI District- Muzaffarpur

1. Krishna Kuamr Sahni @ Krishan Kumar @ Krishna Sahni S/O Baidyanath Sahni @ Baijnath Sahani
2. Pinki Devi W/O Kirshna Kumar Sahni @ Krishan Kumar
Both R/O Village- Rudha Sanathi, P.S- Bochahan, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 22-01-2025 1. Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 302, 201/34 of the IPC in connection with Hathauri P.S. Case No.26 of 2015.

3. The learned counsel for the petitioners submit that petitioner no.1 is own brother of Arun Sahni and petitioner no.2 is wife of petitioner no.1. It is next submitted that Arun Sahni was married to Rita Devi. It is further submitted that Hathauri P.S. Case No.26 of 2015 came to be instituted by the son of Rita Devi alleging that she was killed by her own father i.e. Nana of the informant, namely, Shankar Sahni. It is next submitted that



Shankar Sahni also instituted Bochahan P.S. Case No.115 of 2016 with regard to the same occurrence of killing of Rita Devi wherein he alleged that the name of Arun Sahni, petitioners and others that they had committed the occurrence.

4. The learned counsel for the petitioners submit that own son of Rita Devi had instituted Hathauri P.S. Case No.26 of 2015 alleging that it was Shankar Sahni who had killed his mother as such Shankar Sahni in order to cover up his misdeeds instituted Bochahan P.S. Case No.115 of 2016 implicating the petitioners and others. It is also submitted that Hathauri P.S. Case No.26 of 2015 and Bochahan P.S. Case No.115 of 2016 were amalgamated and were investigated and the police after investigation filed charge sheet in the year 2021 under Section 306 of the IPC. It is next submitted that petitioners being brother-in-law and sister-in-law of Rita Devi came to be implicated by Shankar Sahni who is own Nana of the informant of Hathauri P.S. Case No.26 of 2015.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below



within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (RupeesTen Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class (East), Court No.10, Muzaffarpur in connection with Hathauri P.S. Case No.26 of 2015, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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