

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65311 of 2024

Arising Out of PS. Case No.-308 Year-2022 Thana- TAJPUR District- Samastipur

1. Ravin Sahni @ Langar Sahni @ Lagal Sahni S/o- Ram Tahal Sahni @ Ram Krishan sahni Village- Maksudanpur Bhadaiya Ps- Mohiuddinagar Dist- Samastipur
2. Gulman Devi @ Gulman Kumari W/o- RAvin Sahni @ Langar Sahni @ Lagal Sahni Village- Maksudanpur Bhadaiya Ps- Mohiuddinagar Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-01-2025 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 Tajpur (Halai O.P.) P.S. Case No.308 of 2022.

3. The learned counsel for the petitioners submit that petitioners are persons with clean antecedent. It is next submitted that name of the deceased is Raman while informant is Amit who is own brother of Raman. It is further submitted that Raman was married to Mathiya Devi and petitioner no.2 is own sister of Mathiya Devi and wife of petitioner no.1. It is next



submitted that the informant alleges that on 30.06.2022 his brother went to his matrimonial house and when he reached there his in-laws started demanding money and even assaulted him and snatched the keys of the motorcycle, accordingly, the brother of the informant called and informed the informant about the occurrence, hence, the informant reached the place of occurrence but his brother was found missing. It is next alleged that at 05:00 a.m. on the next day the informant found the dead body of his brother hanging from a tree in a bamboo orchard, thus based on suspicion alleges that petitioners have committed the occurrence.

4. The learned counsel for the petitioners submits that petitioner no.2 is own sister of the wife of the deceased and petitioner no.1 is her husband, it is thus submitted that it absolutely does not stand to reason that as to why the petitioners would have indulged in the occurrence of committing murder of the brother of the informant. It is further submitted that the entire allegation hinges around suspicion. It is next submitted that it absolutely does not stand to reason that the family members of the wife of the deceased would have demanded dowry from his brother.

5. The learned APP opposes the anticipatory bail



application and submits that what is not in dispute rather stands admitted is that brother of the informant has been killed as his body was found hanging from a tree, but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that the entire allegation hinges around suspicion and informant is not an eyewitness to the occurrence.

6. The learned APP next submits that if privilege of anticipatory bail is granted to the petitioners they may abscond, on which the learned counsel appearing on behalf of the petitioners submit that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

7. 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.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Ist, Samastipur in connection with Tajpur (Halai O.P.) P.S. Case No.308 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after giving him an opportunity of hearing.

9. It is further made clear that in the event if charge sheet is submitted connecting the petitioner with the offence, in that event, the present anticipatory bail order shall loose its effect.

10. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

U		T	
---	--	---	--

