

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80272 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- MOHIUDDIN NAGAR District-
Samastipur

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1. Harendra Sahani S/O Dukhit Sahani R/O Maksudan Pur Bhadiya, Ward No. 4, P.S.- Mohauddi Nagar, District- Samastipur.
 2. Reena Devi W/O Harendra Sahani R/O Maksudan Pur Bhadiya, Ward No. 4, P.S.- Mohauddi Nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ram Shankar Das, Adv.
For the State	:	Mr. Shailendra Kumar, APP.
For the Informant	:	Mr. Rabish Kumar, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 02-05-2025 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302, 304(B), 34 of the Indian Penal Code.

3. The FIR has been lodged against the husband of the deceased lady and the other family members including the present petitioners who are the father-in-law and mother-in-law of the deceased, respectively. There is an allegation in the FIR that the husband of the deceased and his father were demanding Rs. 2 lacs for the purpose of business and on account of non-fulfillment of the same, the deceased was subjected to torture



and subsequently, on 15.02.2024, the informant, who is the father of the deceased, got an information through his villagers that his daughter has been done to death by throttling.

4. Learned counsel for the petitioners submits that there is general and omnibus allegation in the FIR and the present petitioners are the father-in-law and mother-in-law of the deceased, respectively and the father-in-law is working at Nagaland and has been staying separately from the deceased and her husband since long. It is further submitted that an information had been given to the informant, whereafter, he had also come to the matrimonial house of his daughter and further there has been no effort on the part of the petitioners to cause disappearance of evidence and rather the dead body of the deceased was subjected to postmortem. The postmortem report would indicate that the death was caused due to asphyxia due to throttling causing cardio respiratory failure. It is next submitted that there are two minor children of the deceased who are being taken care of by these petitioners and this fact is also supported by learned counsel appearing for the informant. Further, the Court has also been informed of the fact that the husband of the deceased, namely, Sanjay Kumar Sahni is not absconding and has filed anticipatory bail application before



the learned Court below which is in the process of being heard.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail.

6. Considering the above mentioned facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioners having clean antecedent. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, 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 Judicial Magistrate 1st Class, Samastipur in connection with Mohiuddin Nagar P.S. Case No. 28 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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