

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85076 of 2024

Arising Out of PS. Case No.-251 Year-2024 Thana- MAHNAR District- Vaishali

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1. Munna Sahani @ Munna Sahni son of Bhola Sahni Resident Of Village- Bhatgama Gorigama, Ps-Mahnar, Dist- Vaishali at Hajipur
 2. Sanju Devi Wife of Munna Sahani @ Munna Sahni Resident Of Village- Bhatgama Gorigama, Ps-Mahnar, Dist- Vaishali at Hajipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanti Devi Wife of Disesh Sahni village- Nayagaon Rusulpur, Ps- Nayagaon, Dist- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachin Kumar, Adv
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 01-05-2025 Heard learned counsel for the petitioners, and the State.

2. Petitioners apprehend their arrest in connection with Mahnar P.S.Case No. 251 of 2024 registered for the offences punishable under Sections 103, 238, 3(5) of BNSS Act.

3. The allegation made in the FIR, is that the informant got an information that on 10.07.2024 there was fight going on between her daughter and son-in-law Arjun Sahani, who was married 12 to 13 years ago. Upon getting such information, the informant reached the place of occurrence, where the accused persons told her that her daughter has already



died and the dead body was cremated. However, it has been stated in the FIR that when she asked the daughter of the deceased, she stated about the specific allegation on the husband of the deceased that he had assaulted the deceased and subsequently, the deceased had died.

4. Learned counsel for the petitioners submits that the petitioners are elder brother-in-law and sister-in-law of the deceased and marriage between the deceased and Arjun Sahani had taken place 12-13 years back, which would be evident, from the FIR itself. It would also be evident from the FIR, that the informant had participated in the *sharadh ceremony* of the deceased on 2nd of July and had also attended a *panchayati* on 23 July and then after inordinate delay of 17 days, the present FIR has been lodged. However, the thrust of the allegation in the FIR, is against the husband of the deceased Arjun Sahani with regard to whom, there is specific statement made in the petition in paragraph-11, that he is in custody.

5. Learned APP for the State oppose the anticipatory bail.

6. Taking into consideration all the above mentioned facts and circumstances and also considering the fact that the husband, who is primarily responsible for the well being of the



wife is in custody, I am inclined to grant privilege of anticipatory bail to the petitioners. Accordingly, in the event of their arrest/ surrender within a period of four weeks from today the petitioners shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand)with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st class, Vaishali at Hajipur in Mahnar P.S.Case No. 251 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioners shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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