

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27171 of 2016**

Arising Out of PS.Case No. -21 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

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Sanjay Sahni S/o Vindeshwar Sahni, Rresident of village - Vijay Chhapra,  
P.S. Ahiyapur, District - Muzaffarpur

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Rajeev Ranjan No.Ii, Advocate.

For the Opposite Party : Ms. Pushpa Sinha, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

3      02-09-2016                      Heard both sides.

The petitioner apprehends his arrest in Ahiyapur P.S.  
Case No. 21 of 2016 registered for the offences punishable under  
Sections 341, 323, 324, 307, 302 and 34 of the Indian Penal Code.

Arun Sahni the informant alleged that Sanjay Sahni  
gave blow with dagger which hit just above his eye when his  
brother Ram Kumar and father Kailash Sahni came to save  
Bindeshwar Sahni, Rajiv Sahni and Janki Devi assaulted his  
brother and father. The accused persons assaulted the father of the  
informant till he died.

Learned counsel for the petitioner submits that the  
informant did not make any specific allegation against Sanjay  
Sahni that he assaulted his father and brother. Only allegation



against the petitioner is that he assaulted the informant with dagger but no injury was found on the person of the informant. It is further submitted that other witnesses have stated that the petitioner also assaulted Ram Kumar and Kailash Sahni, father of the informant. Hence, the petitioner may be enlarged on anticipatory bail.

Learned counsel for the informant as well as learned APP vehemently opposed the prayer for anticipatory bail of the petitioner.

Of course, it appears that the informant has not made any allegation of assault by the petitioner to his father and brother but Ram Kumar who is another injured witness of the case and other witnesses have stated that the petitioner also assaulted Ram Kumar and Kailash Sahni. Only two injuries are said to have found on the body of the deceased and his 3<sup>rd</sup> and 6<sup>th</sup> ribs were found fractured. The penis of the deceased was also found smothered.

Considering the facts aforesaid and the fact that all the witnesses have stated that the petitioner also assaulted the father of the informant who died on the spot, I am not inclined to enlarge the petitioner above named on anticipatory bail in Ahiyapur P.S. Case No. 21 of 2016, pending in the court of Chief Judicial

Magistrate, Muzaffarpur.

Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J.)**

KKSINHA/-

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