

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 34528 of 2016

Arising Out of PS.Case No. -138 Year- 2015 Thana -AURAI District- MUZAFFARPUR

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Chhote Sahani @ Chhote Lal Sahani @ Chotey Sahni Son of Narayan Sahni
Resident of Village- Jogia Rudauli, PS Aurai, District Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Firoz Raza

For the Opposite Party/s : Mr. Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 06-09-2016 Heard Mr. Syed Firoz Raza, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is one of the named accused
in the F.I.R. in Aurai P.S. Case No. 138 of 2015 registered for the
offence under Sections 302/34 of the Indian Penal Code, has
prayed for grant of bail in the event of arrest or surrender.

It was submitted by learned counsel for the petitioner
that it is true that petitioner has been named in F.I.R. with an
allegation that he was carrying an arm, but there is no allegation of
any overt act against the petitioner. He further submits that
petitioner has falsely been implicated due to the reason that earlier
petitioner's wife had lodged an F.I.R. against the son of the
deceased, whereas, the said F.I.R. i.e. Annexure – 2 was lodged in

the year 2011 and in the present case, the occurrence has taken place in the year 2015.

The Court is of the opinion that in such a situation, there is no question for extending the privilege of anticipatory bail.

Dismissed.

(Rakesh Kumar, J.)

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