

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11174 of 2016

Arising out of PS.Case No. -27 Year- 2010 Thana -SHYAMPUR BHATHA District- SHEOHAR

Virendra Sahni, Son of Baiju Lal Sahni, resident of village- Ramban Gorla Tola, P.S.- Shyampur Bhatha, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate.

For the Opposite Party : Mr. P.K.Jha(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-04-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Shyampur Bhatha P.S. Case No. 27 of 2010 for the offences instituted under Sections 147, 148, 149, 427, 436, 307, 302, 120(B) of the IPC, 27 of the Arms Act, ¾ of the Explosive Substance Act and 17 of C.L. A. Act.

The allegation is against 12 FIR named miscreants and 60 unknown miscreants. It is alleged that on 21.05.2010, FIR named miscreants attached over the house of the informant in which Bhola Yadav, Bhagwan Rai and Manohar Thakur succumbed to injuries. Petitioner is said to have sprinkled petrol and put fire while other accused persons facilitated the act of the

miscreants. The informant also sustained fire arm injury over his stomach.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no overt act alleged against this petitioner. The main allegation is against Suresh Sahani and Hamid Ansari.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. and has actively participated in commission of murder of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in Shyampur Bhatha P.S. Case No. 27/2010, pending in the court of the learned C.J.M., Sheohar. Anyhow, if the petitioner surrenders in the court below the same shall be considered on its own merit without being prejudiced by this order.

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(Sudhir Singh, J)