

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48452 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -WARISNAGAR District- SAMASTIPUR

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Nawal Sahni @ Nawal Sahani, S/o Late Nandlal Sahni, resident of Village-
Dhubopur Bansara, P.S.- Hayaghat, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate
Mr. D. Jiwan, Advocate
For the Opposite Party : Mrs. Sharda Kumari (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 14-12-2017 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner apprehends his arrest in connection
with Warisnagar P.S. Case No.149 of 2016, registered for the
offences punishable under Sections 302/120(B)/34 of the Indian
Penal Code and Section 27 of Arms Act.

Allegedly, Dilip Sahni the son of the informant
was shot dead and eleven months ago the petitioner has caused
threats to the son of the informant to kill him.

Submission is of false implication and that besides
suspicion there is nothing against the petitioner for the murder
of the son of the petitioner, the case was lodged against



unknown and after investigation the name of Munna Sahni was surfaced as accused in that case and that Munna Sahni is the co-sharer or pattidar of the informant of this case, the petitioner was to be examined in that case i.e. Hayaghat P.S. Case No. 66 of 2015 but in the meantime, the petitioner was made an accused on baseless and unfounded allegation with a view to put pressure upon the petitioner so that he may not give evidence in the Court. During investigation, no witness has come forward to say regarding the hands of the petitioner in killing the son of the informant. The allegation is that the petitioner has caused threats eleven months ago is also baseless and incorrect. During investigation, the own man of the informant have stated regarding the suspicion and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. submits that during investigation the witnesses vide para 18, 28, 29 and 102 of he case diary have stated the name of the petitioner also in the killing of deceased and there is strong suspicion against the petitioner as he has caused threats telephonically to kill the deceased.

In the facts and circumstances as stated above, considering the aforesaid materials, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such



prayer stands rejected in connection with Warisnagar P.S. Case
No. 149 of 2016, pending in the Court of learned Chief Judicial
Magistrate, Samastipur.

(Jitendra Mohan Sharma, J.)

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