

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17999 of 2017

Arising Out of PS.Case No. -698 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

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1. Mantu Sahni, Son of Suresh Sahni, Resident of Village- Shekhpur Dhab,
P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 09-05-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Ahiyapur
P.S. Case No. 698 of 2016 registered for the offence punishable
under Section 302/34 of the Indian Penal Code.

Allegedly, the petitioner shot Irshad and Irshad stated
about the occurrence to his father and others and when he was
brought to S.K.M.C.H., Muzaffarpur, he was declared dead.

Submission is of false implication and that the
petitioner has been made victim of the circumstances, he was not
present at the place of occurrence but in spite of that he has been
named. The police after adopting third degree method has got
recorded the statement of the petitioner which has got no



evidentiary value in the eye of law and, as such, the petitioner deserves sympathetic consideration as he is suffering in custody since 09.11.2016.

Learned A.P.P. opposes the prayer of bail by submitting that the deceased before his death has stated the name of the petitioner as an assailant and further witnesses have also supported the said fact and the petitioner has confessed his guilt also.

In the facts and circumstances stated above, considering the serious allegation attributed against the petitioner, at present I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Ahiyapur P.S. Case No. 698 of 2016 pending in the Court of learned CJM, Muzaffarpur.

(Jitendra Mohan Sharma, J)

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