

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13294 of 2019**

Arising Out of PS. Case No.-102 Year-2018 Thana- MANSURCHAK District- Begusarai

SANJAY SAHNI, Son of Janak Sahni @ Janak Lal Sahni Resident of Village
- Sankh Mohan, P.S.- Bibhutipur, District - Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Maharaj

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

4 05-07-2019 Heard learned counsel for the parties.

The petitioner apprehends his arrest in connection with Mansurchak P.S.Case No. 102 of 2018 registered under Sections 302 and 120B/34 of the Indian Penal Code.

Allegation against the petitioner is that petitioner, along with other co-accused persons, has committed murder of husband of informant namely Shambhu Sahni and it is alleged that prior to the date of murder of husband of the informant, there was a threat given by the petitioner of killing the husband of the informant and she has raised strong suspicion against the petitioner regarding his involvement in murder of her husband along with other named accused persons in the FIR.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case only on suspicion due to previous land dispute and petitioner has got no criminal antecedent. He further submits that on the date of occurrence,



petitioner was not present in the village inasmuch as he was at Barauni Junction with his family for boarding a train and in support of his submission, learned counsel placed a railway ticket annexing as Annexure-2 with this application.

Learned counsel for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that petitioner was absconding and in January itself attachment order was issued by the concerned court for production of the petitioner. Learned counsel further submits that petitioner is a named accused and wife of the deceased has raised a strong suspicion due to previous dispute and threatening was given to the husband of the informant by this petitioner.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner is named in the FIR and informant has categorically stated that prior to murder of her husband, there was a threat meted to her husband i.e., deceased, I am not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail to the petitioner is hereby rejected.

(Anil Kumar Sinha, J)

sujit/-

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