

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16653 of 2019**

Arising Out of PS. Case No.-46 Year-2017 Thana- TAJPUR District- Samastipur

Sunil Sahni @ Sunil Kumar Sahni, aged about 30 years, male, S/o Tilyat Sahni, Resident of Village-Gunaibasahi, P.S.-Tajpur, Distt-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Surya Narayan Roy

For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      26-03-2019                      Heard learned counsel for the petitioner and learned  
APP representing the State.

Petitioner is seeking anticipatory bail in connection with Tajpur P.S. Case No. 46 of 2017 registered for the offences punishable under Sections 341, 323, 307, 427, 387/34 of the Indian Penal Code and under Section 3/4 of the Explosive Substance Act.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R and it is only in the subsequent statement the informant has disclosed the name of the petitioner along with two other co-accused who had allegedly received Rupees Fifty Thousand each from the informant on earlier occasion and thereafter had been demanding more money. Learned counsel submits that this



petitioner has no criminal antecedent and it is a case of false implication.

On the other hand, learned APP for the State submits that there are enough materials present in this case to take a view that the petitioner would not deserve the privilege of anticipatory bail. It is submitted that the name of the petitioner has been disclosed by the informant immediately after lodging the F.I.R and then the co-accused, Ganesh Sahni and Mukesh Sahni have also in their confessional statement disclosed the name of the petitioner. Moreover, both the co-accused, Mukesh Sahni @ Mukesh Kr. Sahni and Ganesh Sahni @ Ganeshi Sahni have got the regular bail and, therefore, there is no reason why this petitioner should get the privilege of anticipatory bail.

Considering the facts and circumstances of the case and the materials placed before this Court wherein the name of the petitioner has been disclosed by the informant in the subsequent statement and that the co-accused have also disclosed the name of the petitioner in their confessional statement, I am not inclined extend the privilege of anticipatory bail to the petitioner, in case the petitioner surrenders and prays for regular bail in the learned Court below within a period of four weeks from today, his prayer for bail shall be considered on



its own merit on the basis of the materials available on the record and rejection of the anticipatory bail by this Court shall not cause any prejudice in the mind of the learned Court below.

**(Rajeev Ranjan Prasad, J)**

R.R.Ojha/-

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