

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30315 of 2020**

Arising Out of PS. Case No.-111 Year-2016 Thana- HATHAURI District- Muzaffarpur

DINESH SAHNI Son of Kishori Sahni Resident of Village- Narma (Dih),
P.S.- Hathouri, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Ms. Anita Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 26-11-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Ms. Anita Kumari Singh, the learned APP for the State.

The present petition is by way of 5th attempt at the behest of the petitioner for grant of bail, inasmuch as the earlier petitions filed by the petitioner for grant of bail have been rejected by co-ordinate Benches of this Court vide order dated 26.07.2017 passed in Cr. Misc. no. 26370 of 2017, order dated 16.05.2018 passed in Cr. Misc. no. 15710 of 2018, order dated 11.07.2018 passed in Cr. Misc. no. 35168 of 2018 and order dated 12.07.2019 passed in Cr. Misc. no. 27912 of 2019.

The prosecution case, as per the informant, is that on



23.10.2016 at about 7.30 pm while the informant was at his door, the accused persons variously armed came there and started abusing him and on protest, accused Dinesh Sahani ordered to kill the informant upon which accused Kalpu Sahani assaulted him and his family members. It is alleged that the accused Dinesh Sahani i.e. the petitioner herein and Mahesh Sahani strangled Seema Kumari, daughter of the informant. Thereafter, she was taken to SKMCH, Muzaffarpur for treatment where she was declared dead by the doctors.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 26.10.2016, however despite the learned trial court being reprimanded earlier by this Court, the trial has not yet been concluded. It is further submitted that considering the period of incarceration of the petitioner herein, a lenient view may be taken in view of the fact that trial is not likely to be concluded in near future.

Per contra, the learned APP for the State vehemently opposed the prayer for bail.

I have heard the learned counsel for the parties and perused the materials on record, from which it is apparent that the co-ordinate Benches of this Court have rejected the prayer of the petitioner for grant of bail on four occasions earlier and moreover, there is



no change in circumstances so as to re-consider the prayer of the petitioner for grant of bail, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

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