

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16173 of 2021**

Arising Out of PS. Case No.-308 Year-2019 Thana- BOCHAHAN District- Muzaffarpur

RAMESHWAR SAHANI @ RAM ISHWAR SAHNI, S/o Lalmuni Sahani,
Resident of Village- Sanathi Dih, P.S.- Bochahan, District- Muzaffarpur.
... .. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Raju Kumar, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

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

5 22-09-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Shantanu Kumar, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Bochahan P.S. Case No. 308 of 2019 registered for the offence punishable under Sections 147, 148, 149, 447, 341, 323, 325, 315, 307, 302, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and has been named along with 17 persons in the F.I.R. According to him, there is no specific allegation against the petitioner of causing assault against the deceased. It is his submission that some of the co-accused have been granted bail by learned coordinate Benches of this Court and the

petitioner having remained in jail since 09.07.2020 deserves privilege of bail.

On the other hand, Mr. Shantanu Kumar, learned A.P.P. for the State points out from the F.I.R. itself that there is a very specific allegation against the petitioner of causing assault to the pregnant wife of the informant as a result whereof the foetus in her womb as well as the wife of the informant died due to excessive bleeding.

Learned A.P.P. submits that in the nature of commission of heinous crime by this petitioner wherein not only the wife of the informant but still-born baby also died, this petitioner does not deserve privilege of bail.

Considering the facts and circumstances of the case, the allegations being serious in nature and the specific allegation against the petitioner is that of commission of heinous kind of offence as noticed hereinabove, this Court is not inclined to release the petitioner on bail. The prayer for bail of the petitioner is, thus, refused.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.