

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32669 of 2020

Arising Out of PS. Case No.-1395 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

Birchand Sahni @ Birchandra Sahani S/O Late Bateshwar Sahni resident of
Village - Dadar, Jagsala, P.S. - Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302/34 of the Indian Penal
Code and later on Section 27 of the Arms Act has been added.

As per prosecution case, it is alleged that this
petitioner along with two other accused persons committed the
murder of the informant's husband while he was returning to his
house from the Bank.

It has been submitted on behalf of the petitioner that
petitioner is innocent and has been falsely implicated in this
case. He submits that informant is not eye witness to the
occurrence and only on getting information, she rushed to the
place of occurrence. He submits that on suspicion, the name of



the petitioner has come in the present case. He submits that petitioner is in judicial custody since 30.11.2019.

However, learned APP for the State vehemently opposes the prayer for bail and submits that similarly situated co-accused has been rejected the prayer for bail in Cr. Misc. No. 30025 of 2020 on 11.01.2021.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his payer for bail is rejected in connection with Ahiyapur P.S. Case No. 1395 of 2019 pending before the court of the learned C.J.M., Muzaffarpur.

Accordingly, the application is dismissed.

(Anjani Kumar Sharan, J)

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