

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32005 of 2021

Arising Out of PS. Case No.-77 Year-2020 Thana- LALGANJ District- Vaishali

Baleshwar Sahani, Son of Suraj Sahni, R/O Village- Maksudan Pakari, P.S.-
Lalganj, District- Vaishali At Hajipur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Dilip Kumar Roy, Advocate
For the Opposite Party	:	Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-02-2022 Heard learned counsel for the parties through video conferencing.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This application for anticipatory bail arises out of Lalganj P.S. Case No. 77 of 2020 for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 302, 504 and 506 of the Indian Penal Code.

It has been submitted by learned counsel for the petitioner that present case is counter case of Lalganj P.S. Case No. 78 of 2020 registered for the offences under Sections 147, 148, 149, 323, 324, 376, 511, 354(B), 504 and 506 of the Indian Penal Code and under Section 27 of the Arms Act and because of that, the present occurrence has taken place. It has further



been submitted that both the sides have entered into a compromise and there is no chance of conviction of the petitioner.

Learned APP for the State appears and opposes the prayer for anticipatory bail and has submitted that though the case is serious in nature but in view of compromise there is no chance of conviction.

Considered the submissions of the parties. In a case of murder a compromise is not a ground for grant of anticipatory bail.

Considering the allegation levelled against the petitioner that he was one of the participants in the killing of the deceased, this is not a fit case for grant of anticipatory bail to the petitioner. Accordingly, this bail application is dismissed.

(Sandeep Kumar, J)

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