

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9943 of 2023

Arising Out of PS. Case No.-352 Year-2019 Thana- PAROO District- Muzaffarpur

SHATRUDHAN SAHANI @ SATROHAN SAHANI Son of Santlal Sahni
R/v- Kamalpura, P.S.- Paroo, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 19-05-2023 Heard the learned counsel for the

petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Paroo P.S. Case No. 352 of 2019 registered for the offences punishable under Sections 341, 323, 447 and 302/34 of the Indian Penal Code.

The case of the prosecution, in brief, is that while the informant was at her home on the alleged date and time of occurrence and her husband had come back to the house, they found that the electric wire, which was kept in the home for the purposes of electrification had been hidden and kept somewhere by the brother-in-law of the informant, namely, Santlal Sahani, whereupon the husband of the informant had searched for the



same resulting in the entire family members of the said Santlal Sahani including the petitioner herein having arrived at the door of the house of the informant, whereafter, they had started assaulting and abusing the husband of the informant. It is alleged that the petitioner and two other co-accused persons had caught the neck of the husband of the informant and thrown him on the ground, whereafter the informant had gone there to save her husband, however, she was also assaulted by the accused persons. It is further alleged that while the petitioner and two other co-accused persons had held the husband of the informant captive, one co-accused person namely, Kunal had brought a knife from his house and given a knife blow on the husband of the informant, resulting in the husband of the informant having fallen down on the ground and subsequently died.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he



is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner is a mason and at the time of occurrence he was at Coimbatore along with his family. It is also submitted that a general and omnibus allegation has been levelled against the petitioner.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the complicity of the petitioner in the alleged occurrence is writ large from the record, I do not find the present case to be a fit case for grant of anticipatory bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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