

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25946 of 2023**

Arising Out of PS. Case No.-351 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

1. SUSHIL KUMAR S/O RAMESH SAHNI R/O Village- Ashoi Lachi Ram, P.S- Bhagwanpur, Distt.- Vaishali at Hazipur.
2. Sunil Sahni S/O Ramesh Sahni R/O Village- Ashoi Lachi Ram, P.S- Bhagwanpur, Distt.- Vaishali at Hazipur.
3. Kapil Sahni @ kapal Sahni S/O Ramesh Sahni R/O Village- Ashoi Lachi Ram, P.S- Bhagwanpur, Distt.- Vaishali at Hazipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Niranjana Parihar

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      22-08-2023      Heard learned counsel for the petitioners and the learned  
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Hajipur Sadar P.S. Case No.351/2022 for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

3. The petitioners are said to have committed the murder of the informant's son and threw his dead body in banana orchard with a view to conceal the evidence.

4. The petitioners are quite innocent and have been falsely implicated in this case merely on suspicion. It is further



submitted that on the date of occurrence they were not present inasmuch as petitioner no.1 is a student and petitioner nos.2 and 3 were performing their duty in Rajasthan at the time of alleged occurrence. The allegations levelled against the petitioners is general and omnibus in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. *Per contra*, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order considering the fact that petitioners have no criminal antecedent.

**(Anjani Kumar Sharan, J)**

Trivedi/-

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