

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28103 of 2023

Arising Out of PS. Case No.-72 Year-2022 Thana- SAHEBGANJ District- Muzaffarpur

Sanjay Kumar @ Sanjay Singh, Son of Mahendra Singh resident of Village
Bairiya, P.S. Sahebganj, Distt. Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Santosh Kumar, Advocate
For the Opposite Party/s :	Mr. Akhileshwar Dayal, APP
For the informant :	Mr. Priyesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Sahebganj P.S. Case No. 72 of 2022 registered for the offences punishable under Sections 147, 148, 149, 302/120(B) of the Indian Penal Code and Section 25(1-b)a, 26, 35, 27 of the Arms Act. He has got one criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, on 03.03.2022 at about 12:30 P.M., when the informant along with other persons were fishing in their private pond situated at Gaura Chawar, all fifteen named accused person including this petitioner variously armed came there and on the order of accused Manish Singh to kill everyone, all the accused persons started firing indiscriminately as a result



of which Mukesh Sahni and Bhola sustained gunshot injuries and at the hospital declared dead.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no specific allegation of firing against this petitioner.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the allegation against the petitioner is that he was one amongst the other four accused persons who had fired upon the deceased Mukesh Sahni, altogether 13 bullet injuries are said to have been caused to the deceased Mukesh Sahni and in the said occurrence at least 50 rounds of firing took place in which two persons lost their lives, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner is, thus, refused.

This application is dismissed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

U		T	
---	--	---	--

