

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39909 of 2022

Arising Out of PS. Case No.-138 Year-2020 Thana- ASHOK PAPER MILL District-
Darbhanga

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KARI SAHNI Son of Thakko Sahni Resident of Village - hariharpur, P.S.-
A.P.M. District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 16-01-2023 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in connection
with A.P.M. P.S. Case No. 138 of 2020 for the offence registered
under Sections 364, 302 and 201/34 of the Indian Penal Code.

As per the prosecution story, the informant alleged
that his brother, Ajit Kumar along with his friend, namely,
Naresh Das and Paramjeet Das went to the village-Hariharpur at
the house of Tuntun Sahni for taking wine. However, once
quarrel started there, his brother Paramjeet and Naresh Das left
there.

Later he came to know that his brother has been killed
and dead body is missing. Accordingly, the FIR.



Learned counsel for the petitioner has taken this Court to paragraph-10 of the petition and show that during investigation, co-accused namely, Pramila Devi, Thakkan Sahni and Triveni Sahni were arrested and they made confession before the police narrating the entire story and made specific allegation against co-accused, Tuntun Sahni that the deceased had molested one Babita Devi which was resented by her husband, Tuntun Sahni and led to the present occurrence. It has further been stated in the petition that subsequent to her confession, the decomposed dead body was recovered.

Learned APP for the State opposes the prayer for anticipatory bail.

Considering the aforesaid categorical statement made by the petitioner in paragraph-10 that specific allegation has come against co-accused, Tuntun Sahni and the reasons therein has also been assigned by the accused persons who were arrested and the role of the petitioner has not come, this Court is inclined to grant him relief.

Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of the learned Judicial
Magistrate, 1st Class, Darbhanga in connection with A.P.M. P.S.
Case No. 138 of 2020, subject to condition as laid down under
Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha -

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