

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63645 of 2022

Arising Out of PS. Case No.-153 Year-2022 Thana- CHIRAIYA District- East Champaran

DEVLAL SAHANI Son of Ram Bahadur Sahani Resident of Labegiya, P.O.-
Mishrauliya, P.S. - Chiraiya, District - East Champaran, Motihari (Bihar)
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar Shukla
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha
	:	Mr. Vijay Shankar Shrivastava
	:	Mrs. Shweta Anand

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-06-2023 Heard learned counsel for the petitioner and learned

APP for the State assisted by learned counsel for the informant.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 302 and 120B of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

As per the FIR, allegation against the petitioner is that he along with other co-accused person under a criminal conspiracy has committed the murder of the brother of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is no specific overt act against the petitioner to fire upon the brother of the informant. He further



submits that petitioner is not seen in the CCTV footage. He further submits that petitioner has got two criminal antecedents as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposes the bail application and submits that the petitioner has suppressed the criminal antecedents. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Chiraiya P.S. Case No. 153/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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