

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73500 of 2023**

Arising Out of PS. Case No.-925 Year-2022 Thana- NAGAR District- Vaishali

=====

CHEDI SAHNI @ PRASHANT KUMAR SON OF LATE BACHCHA  
SAHNI R/O VILLAGE- NARWAS CHOUK, ANNDARKILA, BHARAT  
BHARTI SCHOOL KE PICHHE, MACHHUA TOLI, P.S.- HAJIPUR  
TOWN, DIST.- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

=====

**Appearance :**

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

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      23-11-2023                      Heard the parties.

2. The petitioner is in custody in connection with Hajipur Town P.S. Case No. 925 of 2022 for the offence under sections 302, 201 and 34 of the Indian Penal Code lodged on 11.12.2022 by the informant, Amarjit Kumar.

3. As per the prosecution story, the informant has alleged that his brother(deceased) had given loan of Rs. 30,000/- to Manish Kumar. As he was demanding the amount, on 10.12.2022, the allegation is that he was taken away by Manish Kumar to Hariharnath Temple by the boat on the pretext of returning the amount but got a call from his brother that he is being assaulted by this petitioner and other named accuseds and apprehended that he may be killed. Immediately thereafter, his



mobile was switched off.

4. The informant rushed to search his brother near Konhara Ghat and saw the accused persons including this petitioner coming from Konhara Ghat on a boat. Although the other accused persons escaped, the informant succeeded in apprehending Manish Kumar and found the cloth to be wet with blood stains on the boat too. He further confessed to have killed the informant's brother and thrown the dead body in Gandak river with the help of this petitioner and other accuseds. However, despite search, the dead body could not be found, FIR was lodged.

5. Though, learned counsel for the petitioner tried to make out a case, learned APP submits that a bare perusal of the FIR would show that firstly, a loan amount was taken and on the pretext of payment, he was taken away Manish Kumar alongwith this petitioner and later, the deceased himself made a call alleging assault by the petitioner and other accused persons and lastly, when the informant reached near Konhara Ghat, found them coming on a boat as also the blood stains could be seen on the boat. He as such submits that it would be appropriate that the petitioner faces trial.

6. Considering the kind of allegation that has come



against the petitioner, as stated above, this Court is not inclined to extend him privilege of bail which is accordingly, rejected.

7. However, since the petitioner is in custody since 16.12.2022 (as stated in paragraph 20 of the petition), the trial court must ensure that the trial is concluded without any delay and preferably within a period of nine months from today.

8. The bail application stands rejected.

**(Rajiv Roy, J)**

Neha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

