

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2414 of 2023

Arising Out of PS. Case No.-213 Year-2022 Thana- VAISHALI District- Vaishali

RAHUL KUMAR @ RAHUL SAHNI Son of Rameshwar Sahni @ Chutkun
Sahni Resident of Village- Bhagwatpur, P.S.- Vaishali, District- Vaishali at
Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha, Adv.

For the Opposite Party/s : Mr.Md. Matloob Rab, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 376, 302/34 of the
Indian Penal Code.

Allegedly, petitioner is said to have entered the informant
house and raped his wife. Further on 07.06.2022, he along with
other accused persons killed his wife.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
such occurrence as alleged ever took place. He has been falsely
implicated in this case due to enmity. There is general and
omnibus allegation against the petitioner. There is admitted



land dispute between the parties. There is inordinate and abnormal delay of six days in filing the complaint petition without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail and submits that from the perusal of the postmortem report of the deceased, it is evident that the cause of the death of the deceased is asphyxia due to hanging and petitioner is involved in this case.

Having regard to the facts and circumstances of the case, since there is specific overt act against the petitioner, I am not inclined to enlarge him on anticipatory bail.

The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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