

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4711 of 2024

Arising Out of PS. Case No.-138 Year-2023 Thana- MADHUBAN District- East Champaran

Kamlesh Sahni @ Kamlesh Sahani SON OF YOGENDRA SAHNI
RESIDENT OF VILLAGE- KOTHIYA, PS- MADHUBAN, DISTT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-02-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Madhuban P.S. Case No. 138 of 2023 dated 27.03.2023 registered for the offence under Sections 341, 323, 324, 307, 379, 504 & 506 / 34 of the I.P.C.

3. As per the prosecution story on 26.03.2023 in the night at about 9:20 P.M. while the informant was sitting at his shop and his brother Shiv Shambhu Kumar Singh after closing his C.S.P. proceeded towards their home having cash of Rs. 90,000/-, in the meantime, six persons arrived there on four motorcycles and the petitioner armed with iron rod with intention to kill assaulted on the head of the brother of the informant causing injury and profuse bleeding. The accused persons snatched Rs. 30,000/-



from the pocket of the informant's brother, broke the laptop and stolen goods from the shop.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to previous enmity and he did not commit any offence as in the manner alleged. He further submits that the present F.I.R. has been lodged as a counter blast to Madhuban P.S. Case No. 137 of 2023 registered under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the I.P.C. lodged by the side of the petitioner against the informant and others. He further submits that though it is alleged that petitioner assaulted the brother of the informant with iron rod but no injury report has been brought on record to substantiate the allegation. The petitioner has clean antecedent.

5. Regard being had to the submission made by the parties, considering the fact that this is a case arising out of the criminal act of committing robbery involving snatching / loot of cash, as such, I am not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the application stands rejected.

(Anil Kumar Sinha, J)

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