

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25685 of 2024

Arising Out of PS. Case No.-50 Year-2023 Thana- KADAMKUAN District- Patna

Gaurav Kumar Sahani @ Sonu Son of Late Gopala Sahani Resident of Arya
Kumar Road, P.S.- Kadam Kuan, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Kumar Singh, Advocate

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

Mr. Aditya Singh, Advocate

Mr. Vishal Vikram Rana, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-05-2024 1. Heard learned counsel for the petitioner, learned
APP for the State along with learned counsel for the O.P. No.2.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 302 and 34 of the IPC and Section 27 of the Arms Act
in connection with Kadam Kuan P.S. Case No.50 of 2023.
3. The learned counsel for the petitioner submits that
petitioner has antecedent of one case and has been falsely
implicated in the instant case by the informant.
4. It is further submitted that allegation of firing is
against Babloo Sahni @ Govind Sahni and petitioner being his
elder brother came to be implicated who did not allege to have
fired.
5. The learned counsel appearing on behalf of the



informant submits that though petitioner is not alleged to have fired, but then he was also present at the place of occurrence where the brother of the informant was shot dead in presence of the informant. It is next submitted that during the course of investigation the C.C. Tv. footage was also investigated and it was found that petitioner was also present at the place of occurrence along with other accused as detailed in the FIR. It is further submitted that since petitioner along with other accused was present when the occurrence took place, as such Govind Sahni felt emboldened to commit the occurrence of firing leading to death of the brother of the informant.

6. Considering the submissions made by the learned counsel appearing on behalf of the informant, the Court is not inclined to accept the privilege of anticipatory bail to the petitioner, accordingly, the anticipatory bail application is rejected.

(Satyavrat Verma, J)

Prakash Narayan

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