

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41744 of 2024

Arising Out of PS. Case No.-246 Year-2022 Thana- MOHAMMADPUR District- Gopalganj

1. BADAL SAHANI @ BADAL KUMAR SAHANI SON OF SHIV SAHNI VILLAGE- DHEKAHAN (TELIYA TOLA), P.S.- KESHARIYA, DISTT.- EAST CHAMPARAN
2. SANJEET SHAHNI @ SANJEET KUMAR SAHANI SON OF SHIV SAHNI VILLAGE- DHEKAHAN (TELIYA TOLA), P.S.- KESHARIYA, DISTT.- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore,Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-10-2024 Heard the parties.

2. The petitioners apprehend their arrest in connection with Mohammadpur P.S. Case No.246 of 2022 instituted under Sections 364, 302/34 of the Indian Penal Code lodged on 07.10.2022 by the informant, Binda Devi.

3. As per the prosecution story, the allegation is that the informant's husband had opposed the accused persons from using electric connection in the river which they were doing to kill the fishes. Her husband was an employee as night guard and used to protest against the said activities. This was resented by the accused persons who assaulted her husband and upon the arrival of the villagers, he was found dead. Accordingly, the



F.I.R.

4. It is the case of the petitioners that the informant is not an eyewitness to the occurrence and in that background, the similarly situated accused person has been granted bail vide order dated 21.06.2024 in Cr. Misc. No. 27990/2024.

5. Mr. Jitendra Kumar Singh, learned APP opposed the prayer submitting that they are named in the FIR which was lodged in the year 2022. The others have been granted bail and the petitioners have moved this Court only in the year 2024.

6. Considering the aforesaid submissions put forward by the parties as also the fact that despite having been named in the FIR, they delayed coming to the Court and in that background, the anticipatory bail application stands rejected.

7. If the petitioners prefer bail after surrendering within four weeks from today, the court concerned shall take into account their age as also the fact that others have been granted bail and dispose it of preferably on the same day.

(Rajiv Roy, J)

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