

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43374 of 2024

Arising Out of PS. Case No.-372 Year-2023 Thana- BACHHWARA District- Begusarai

Dharmveer Sahni @ Chhote Sahni S/o Baleshwar Sahni R/o Village- Razapur,
P.S.-Bachhwara, District-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhusan Poddar, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 08-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for
the offence punishable under Sections 302 and 201/34 of the
Indian Penal Code.

3. As per allegation in the FIR, it is stated that the
husband of the informant was called by one co-accused
Chandan Sahani by force even after protest of the informant and
thereafter, she called her husband but the wife of the co-accused
picked up the phone and told the informant that the husband of
the informant will be back an hour, later on in the morning, the
dead body of the husband of the informant was found in the
bushes.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. Petitioner has



got clean antecedent as stated in para-3 of the petition and he is in custody since 25.11.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that petitioner is direct involvement of the murder of the husband of the informant.

6. On perusal of the first informant report, postmortem report and impugned order dated 01.05.2024 it appears that the deceased (husband of the informant) died due to asphyxia as a result of strangulation as stated in the postmortem report and from perusal of paras-60 and 63 of the case diary of the statement recorded under Sections 161 and 164 of the Cr.P.C. witness, namely, Rahul Kumar, it appears that an eye witness has seen the petitioner strangulating the deceased with *gamchha* and the petitioner strangled the deceased until the deceased died due to strangulation and several witnesses have supported the case of the prosecution, so considering all aspects of the case, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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