

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42823 of 2024

Arising Out of PS. Case No.-54 Year-2024 Thana- BAHERI District- Darbhanga

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1. SURESH SAHNI @ SURESH PRASAD SAHNI SON OF LATE LAKHAN SAHNI VILLAGE- MAKHNAHA, P.S.- BAHERI, DISTT.- DARBHANGA
 2. ARUN SAHNI @ ARUN KUMAR SAHNI SON OF SURESH SAHNI @ SURESH PRASAD SAHNI VILLAGE- MAKHNAHA, P.S.- BAHERI, DISTT.- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Girish Chandra Jha, Advocate
For the Opposite Party/s	:	Mr. Narendra Kumar Singh, APP
For the Informant	:	Mr. Surya Prakash Vishwas, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 2 20-07-2024 1. Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.
2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Baheri P.S. Case no. 54 of 2024, registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.
3. As per the prosecution case, the informant states that his brother was called for video photography to the house of Suresh Sahni on the occasion of his birthday. As the video camera was not charged, it is stated that the five named accused



persons including the two petitioners herein became infuriated and after some altercation, Rakesh Sahni shot the brother of the informant in his mouth with a revolver as a result of which he sustained firearm injury. The accused left him at the DMCH where he died.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. Even accepting the allegations in the FIR, the sole assailant of the deceased is Rakesh Sahni and not the petitioners herein. As such the petitioners be enlarged on anticipatory bail.

5. The application for anticipatory bail is opposed by learned A.P.P for the State and learned counsel for the informant. Learned counsel for the informant submits that from order of the learned trial Court, it would be evident that all the accused persons including the petitioners herein were dancing in the birthday party of petitioner no.1 with pistols in their hand where the brother of the informant was shot dead.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioners in the F.I.R., the Court is not inclined to enlarge the petitioners on anticipatory bail and the application is rejected.

7. The petitioners are directed to surrender in the



Court below within a period of four weeks.

8. In case the petitioners surrender within the aforesaid period and pray for regular bail, the same shall be considered without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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