

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64793 of 2024

Arising Out of PS. Case No.-379 Year-2022 Thana- MADHUBAN District- East Champaran

Niraj Kumar @ Niraj Sahani Son of Ishwardayal Sahni Village- Hardiya,
Kanspakri, P.S.- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-10-2024 Heard Mr. Dhurendra Kumar, learned counsel for the
petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for the
State.

2. The petitioner apprehends his arrest in connection with
Madhuban P.S. Case No. 379 of 2022 registered for the offences
punishable under Section 302/34 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including
the petitioner are said to have committed murder of the
informant's husband.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
such occurrence as alleged has ever taken place. He has been
falsely implicated in this case due to ulterior motive. The
allegation levelled against the petitioner is totally false and
based on concocted facts. There is an admitted land dispute



between the parties and due to previous enmity, the petitioner and others have been made accused in this case. There is nothing on record to show the complicity of the petitioner. It is further submitted that from bare perusal of FIR, it is evident that the informant is not an eye witness to the alleged occurrence and even one Halina Jojo, who informed the informant about the alleged occurrence has not whispered anything against the petitioner. He has been made accused in the present case merely on suspicion and due to previous enmity. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that there are substantial evidences available against the petitioners in the case diary. Hence, he does not deserve the privilege of anticipatory bail.

6. Considering the facts and circumstances of the case as well as the gravity of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

(Anjani Kumar Sharan, J)

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