

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81591 of 2023

Arising Out of PS. Case No.-55 Year-2019 Thana- GAIGHAT District- Muzaffarpur

RAJESH SAHNI @ CHOTU SAHNI S/O SURESH SAHNI VILLAGE-
DHOBAULIYA, PS. GAIGHAT, DIST. MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Ram Anurag Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-01-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Gaighat P.S Case No. 55/2019 dated 04.02.2019 registered for the offence punishable u/ss 147, 148, 149, 341, 342, 323, 324, 307, 379, 447, 504 and 506 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons came to the house of the informant and started abusing and assaulting him. Thereafter, the petitioner assaulted the informant with a knife causing injuries on his chest and body. When the informant's wife came to rescue, the accused assaulted her and tore her clothes. Further, they entered



the house and looted Rs. 75,000/-.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. There is a delay in lodging the FIR. There is general and omnibus allegation against the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that there is specific allegation against the petitioner of inflicting knife blow and the injury is stated to be grievous in nature.

7. Considering the aforesaid facts and circumstances of the case as well as the specific allegation against the petitioner and the grievous injury, I am of the view that no case for grant of anticipatory bail is made out. The petition is rejected and the petitioner is directed to surrender to the Court below within six weeks from the date of this order and the Court below may consider the prayer of the bail of the petitioner on the same day without being prejudice by this order.

(Chandra Prakash Singh, J)

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