

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21229 of 2025

Arising Out of PS. Case No.-165 Year-2020 Thana- MOTIPUR District- Muzaffarpur

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Lalbabu Sahani Son of Laxman Sahani Resident of village -Mahawal @
Mahaul PS -Motipur Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No. II, Adv.

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard Learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Motipur P.S. Case No.165 of 2020 under Sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against 12 named accused persons including the petitioner and case has been lodged in the year 2020 with allegation that accused persons have assaulted the informant and his son. They also kidnapped and killed his son.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the petitioner has been falsely implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. He submits that there is general and omnibus



allegation against the petitioner.

5. Learned Counsel also submits that antecedent of the petitioner is not clean and there are 3 criminal antecedents of the petitioner. He further submits other co-accused persons have been granted bail by the Co-ordinate Bench of this Court vide order dated 15.02.2025 passed in Cr. Misc. No.628 of 2025.

6. Learned APP for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean. There are 3 criminal cases pending against him. He further submits that the bail which has been granted to two accused persons, were female.

7. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

8. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 4 weeks from today and prays for regular bail, then trial court shall pass order without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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