

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65444 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- DUMARIAGHAT District- East
Champaran

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1. Vashishth Sahani Son of Late Ramchandra Sahani Resident of Village - Bhawanipur/ Bhawan, Near Chiran Machin, P.S. - Sangrampur, District - East Champaran
 2. Guddu @ Guddu Sah Son of Birendra Sah Resident of Village - Bhawanipur/ Bhawan, Near Chiran Machin, P.S. - Sangrampur, District - East Champaran
 3. Satyadev Sahani Son of Late Ramchandra Sahani Resident of Village - Bhawanipur/ Bhawan, Near Chiran Machin, P.S. - Sangrampur, District - East Champaran
 4. Anil Raut Son of Bharat Raut Resident of Village - Pakadhi, P.S. - Dumariya Ghat, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Kundan Rathore, Advocate
For the State	:	Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-01-2025 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302, 201, 120B and 34 of the Indian Penal Code.

3. As per prosecution case, on 01.07.2023 at about 8 AM these petitioners, along with another accused person named in the F.I.R., came to the house of informant and told that they have taken work of contractor in Chattisgarh and asked husband of informant to come with him. Thereafter, the husband of



informant went with co-accused persons but never returned. It is alleged that all the accused persons, including these petitioners, committed murder of husband of informant.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence and have falsely been implicated in this case merely on suspicion. As per F.I.R., the date of occurrence is 01.07.2023, however, the F.I.R. has been lodged after inordinate delay of 10 months and there is no explanation for the same. As a matter of fact, husband of informant, namely Bihari Sahani, had himself gone to work as labour in Village-Arjuni, P.S. Dogar Gaon, District- Rajnath Gaon, Chattiasgarh, from where he disappeared since morning of 03.07.2023 and thereafter, petitioners and other co-accused person named in the F.I.R. searched for him but no clue was found and in this regard, petitioners also lodged a missing report in Dogar Gaon P.S. on 21.07.2023 vide G.D. No. 6 (copy of which is annexed as Annexure-2 to this bail application). Petitioners claim clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the



F.I.R. and there is specific accusation that they, along with another co-accused person, had taken away husband of informant for work and thereafter, committed his murder. It is further submitted that the victim is still traceless.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the fact that the victim is still traceless, the prayer for grant of anticipatory bail to the petitioners is rejected.

(Prabhat Kumar Singh, J)

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