

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65835 of 2024

Arising Out of PS. Case No.-1647 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Ajit Sahni @ Chhotka Son of Raj Kishor Sahni R/O Vill.- Dadar Kolhua, P.S.-
Ahiyapur, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

4 18-03-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Ahiyapur P.S. Case no. 1647 of 2023 instituted for the offence under Sections 341, 323, 302, 379, 504, 506/34 of the Indian Penal Code.

3. As per allegation in the F.I.R. is that petitioner along with other co-accused persons have killed the brother of informant and threw the dead body somewhere in order to conceal the evidence. It is further alleged that during course of search of the body, informant came to know that police has



got a dead body of unknown person and when he received the photo of that dead body, he identified it as of his brother. It is further alleged that petitioner and co-accused persons had earlier threatened his brother to kill and get his body disappeared. They have also assaulted and abused the informant and his family members.

4. Learned counsel for the petitioners submits that the petitioner is innocent and committed no offence. It is further submitted that informant has raised suspicion about the alleged offence and he is not an eye witness of the same. Deceased has not received any anti-mortem injury externally and even on dissection also no ante-mortem injury was found internally. It is further submitted that investigation is still going on and viscera report is pending.

5. Learned APP appearing for the state has vehemently opposed the prayer of bail and submitted that during investigation, witnesses Chunu Sahni and Lalu Paswan have stated that petitioner and accused persons forcefully took the deceased away and subsequently his dead body was recovered. Motive has also been assigned by them. Other



materials of the case diary have also supported the prosecution case as to the extent that petitioner was involved in the alleged offence. Moreover, in paragraph 51 of the Case Diary, it is mentioned that petitioner is involved in illegal trade of liquor and they have also been sent to jail in several other cases. There are criminal history against him. Investigation is still going on.

6. Having heard the learned counsel for the parties and considering the nature of allegation, presently, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for anticipatory bail stands rejected.

7. The petitioner is directed to surrender before learned court below and prays for regular bail, the same shall be considered by the court below, on its own merit, without being prejudiced by the order of this Court.

(S. B. Pd. Singh, J)

Nirajkrs/-

U		T	
---	--	---	--

