

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65530 of 2024

Arising Out of PS. Case No.-99 Year-2021 Thana- BISHANPUR District- Darbhanga

Ramesh kumar @ Ramesh Sahni S/O Soman Sahani R/O Belsandi, P.S-
Chackmehsi, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirtyunjay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 19-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioner and other co-accused persons is to have committed the murder of one Mithu Sahni by a shot fired.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that the informant is not an eye witness of the alleged occurrence and the name of the petitioner transpired on the basis of confessional statement of co-accused Chhotu Sahni, except this, there is no any cogent and direct material has come in the entire investigation to implicate the petitioner in this case as



stated in para-11 of the petition. Petitioner has got clean antecedent as stated in para-3 of the petition.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

6. On perusal of the first information, case diary, postmortem report and impugned order dated 13.02.2024, it appears that the main co-accused Chhoutu Sahni in para-17 of the case diary stated that the petitioner killed the deceased by fire arms. It also appears that from perusal of the case diary in paras-35, 36, 37, 38 and 39 that after examination under Section 161 of the Cr.P.C. the witnesses seen the present petitioner and other co-accused persons with source of light of electric bulb at the time of occurrence for committing the murder of the deceased and several witnesses have also supported the case of the prosecution, so prima-facie occurrence appears involvement of the petitioner, hence I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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