

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73181 of 2024**

Arising Out of PS. Case No.-54 Year-2024 Thana- BAHERI District- Darbhanga

=====

Kanhaiya Sahani Son of Nand Sahani @ Nandan Sahani R/O Vill.-  
Makhnaha, P.S.- Baheri, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Raj Dular Sah, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

=====

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

ORAL ORDER

2      18-01-2025                      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 Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, it is a case of murder of the brother of the informant by means of gun shot injuries by the accused persons including the petitioner.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that petitioner has got one criminal antecedent as stated in para-1 of the petition. Petitioner is named in the FIR and nothing incriminating article has been recovered from the possession of the petitioner.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioner and submits that if the



anticipatory bail is granted to the petitioner then it may affect the investigation in this case, so the prayer for anticipatory bail of the petitioner be rejected for proper investigation of the case.

6. From perusal of the FIR and impugned order dated 27.04.2024, it appears that petitioner is named in the FIR and the birth day party was going on in the house of the co-accused Suresh Sahni and petitioner and specifically alleged that co-accused Rakesh Sahni fired with pistol which hit on the face of the deceased, Shushil Kumar Sahni, as a result of which, the deceased succumbed where the doctor found him dead and during course of investigation, witnesses have supported the case of the prosecution and the postmortem report of the deceased has found that the death was caused due to haemorrhage and shock as is evident from the impugned order, so I am not inclined to grant anticipatory bail to the petitioner.

7. Prayer for anticipatory bail of the petitioner is hereby rejected.

**(Ramesh Chand Malviya, J)**

Brajesh Kumar/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

