

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89578 of 2024

Arising Out of PS. Case No.-89 Year-2024 Thana- GAIGHAT District- Muzaffarpur

Chhotu Sharma Son of Late Nagina Sharma Resident of Village - Hasna, P.S.
- Gaighat, District - Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 09-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Gaighat P.S. Case No. 89 of 2024 registered for the offences punishable under Sections 341, 323, 324, 307, 302, 201, 506/34 of the Indian Penal Code.

3. The allegation against the petitioner is to commit murder of son of the informant along with other co-accused persons, where occurrence alleged to be taken place due to previous enmity.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner was not involved in actual



murder and he was only called one injured person namely, Chandan Sahni. It is submitted that thrust of allegation is available against other co-accused persons. It is submitted that allegation also appears very much general and omnibus against the petitioner and he was implicated in the background of previous enmity. Petitioner claimed to be a man of clean antecedent.

5. Learned A.P.P., while opposing the prayer for anticipatory bail of the petitioner, submitted that petitioner called one injured namely, Chandan Sahni as to come for a particular place, where other co-accused persons were waiting, whereafter on the persuasion of this petitioner only, injured Chandan Sahni was kidnapped and was brought at desired place, where he was forced to call Shambhu Sahni (deceased) at same place on instance of petitioner. It is submitted that as per injured witness namely, Chandan Sahni, petitioner was actively involved in the occurrence of assault and kidnapping, where son of the informant namely, Shambhu Sahni was brutally killed.

6. In view of aforesaid facts and circumstances and by



taking note of the fact as petitioner actively involved in the occurrence of kidnapping and physical assault where the son of the informant died, which duly supported by injured namely, Chandan Sahni, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, prayer of anticipatory bail of petitioner stands rejected.

(Chandra Shekhar Jha, J)

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