

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44924 of 2024

Arising Out of PS. Case No.-254 Year-2023 Thana- UDAKISHUNGANJ District-
Madhepura

Jay Jay Sahni Son Of Paro Sahni @ Parameshwari Sahni Resident Of Vill-
Puraini Bazar (Puraini), Ward No.-05, P.S.- Puraini, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the Opposite Party/s : Mr. Rina Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 30-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Udakishunganj P.S. Case No. 254 of 2023 registered for the
offences punishable under Sections 302, 120(B) of the Indian
Penal Code and Section 27 of the Arms Act.

3. Prosecution case in a nutshell is that son of the
informant was returning home in the evening hours, the
miscreants sitting in ambush shot bullet at him and fled away
from the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.



It is submitted that petitioner is not named in the FIR and name of the petitioner has transpired in this case on the basis of his self-confessional statement regarding his guilt before the police made in Puraini PS Case No. 192 of 2023. It is submitted that there is no eye witness to the occurrence. It is next submitted that nothing incriminating article was recovered from the conscious possession of the petitioner or from the house of the petitioner. Petitioner is in custody since 02-01-2024 having eleven criminal antecedents. Charge sheet has been submitted in this case. Co-accused, namely, Raju Yadav @ Raja @ Raja Yadav has been granted bail *vide* order dated 22-03-2024, passed in Cr. Misc. No. 21351 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted by referring to paragraph No. 47 of the case diary that petitioner himself has very categorically confessed his guilt. Paragraph No. 30 is the confessional statement of co-accused, namely, Raja Yadav, who has stated the complicity of the petitioner in the occurrence.

6. Considering the rival submissions made by the learned counsel for the parties, taking into account the confessional statement of the petitioner himself regarding his



complicity in the crime and perusing the materials available in the case diary, this Court is not inclined to grant regular bail to the petitioner. Accordingly, the prayer for grant of regular bail to the petitioner is *rejected*.

7. However, petitioner is at liberty to renew his prayer for grant of regular bail if the trial is not concluded within a period of six months.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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