

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7746 of 2025

Arising Out of PS. Case No.-566 Year-2024 Thana- KANTI District- Muzaffarpur

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1. Shankar Sahni S/O Pathalu Sahni Resident of village- Fatahpur, P.S- Kanti, District- Muzaffarpur
 2. Ranjit Kumar Son of Shankar Sahni Resident of village- Fatahpur, P.S- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 23-04-2025 Heard learned Counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Kanti P.S. Case No. 566 of 2024 registered for the offences punishable u/s 137(2), 140(3), 3(5) of the B.N.S.

3. As per the prosecution case, the husband of the informant, namely, Kushar Sahni had gone with a labourer, namely, Rakesh Kumar Sahani but her husband did not return that night. The informant has raised suspicion that the co-accused Rakesh Kumar Sahani and his associates had kidnapped his husband and killed him. The informant has further alleged



that the co-accused persons, namely, Rajesh Sahani, Jaleshwar Sahni, Ranjit Sahani, Kanjit Sahni, Mithilesh Sahni and Ritu Sahni, had threatened that they would kill her husband due to a land dispute.

4. Learned counsel for the petitioners has submitted that the petitioners are not named in the FIR and their names have surfaced in the confessional statement of the co-accused, namely, Rakesh Kumar Sahani, against whom the informant has raised her suspicion. It is further submitted that there is no averment with regard to any dispute with the petitioners and it is only on an exculpatory statement made by the co-accused, namely, Rakesh Kumar Sahani, that the petitioners have been roped into the present matter. It is next submitted that nothing incriminating has been recovered from possession of the petitioners and in the entire case diary the police during the investigation has not been able to prove the motive of any dispute with regard to land or with regard to any transaction of money.

5. Learned counsel for the petitioners has drawn the attention of this Court to the statement of the informant wherein she has completely transgressed from her earlier statement and has repeated what the co-accused, namely, Rakesh Kumar



Sahani had stated in his confessional statement. It is lastly submitted that the petitioners have clean criminal antecedent and are in custody since 27.10.2024 and the charge sheet has already been submitted.

6. Learned APP for the state has vehemently opposed the prayer for bail and has stated that there is specific allegation against the petitioners made by a co-accused, namely, Rakesh Kumar Sahni in his confessional Statement wherein he had described as to how the petitioners were involved in the killing of the said Kushar Sahani. Learned APP for the State has further stated that the statement made by the co-accused, namely, Rakesh Sahani is corroborated by the post-mortem report.

7. Considering the aforesaid submissions of the parties and taking into account the fact that the petitioners were not named initially and not an iota of suspicion was raised against these petitioners and also taking into account the fact that even during the investigation, nothing has come to suggest that the petitioners were involved in any dispute with the informant or the deceased with regard to land or money coupled with the fact that barring the exculpatory statement against the petitioners there is nothing to connect the petitioners with the present incident, let the petitioners above-named, be enlarged on



bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur, in connection with Kanti P.S. Case No. 566 of 2024.

8. The application stands allowed.

(Sourendra Pandey, J)

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