

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18852 of 2025

Arising Out of PS. Case No.-48 Year-2013 Thana- MANIYARI District- Muzaffarpur

Mahesh Sahani @ Mahesh Sahni Son of Late Bilat Sahni Resident of Village
- Ratanauli, P.S. - Maniyari, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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

ORAL ORDER

2 03-04-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with S. Tr.
No. 485 of 2019, arising out of Maniyari P.S. Case No. 48 of
2013, instituted for the offences punishable under Sections
302/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons accosted them and fired
upon uncle of the informant due to which he died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner also submits that no specific allegation of over act has been attributed against the petitioner, rather the same is general and omnibus in nature. Specific allegation of firing upon the deceased is against co-accused, namely, Brahmanand Sahni. It is further submitted that the petitioner along with co-accused, Rajesh Sahni caught hold of the deceased. The petitioner is in custody since 24.01.2024 and has got three criminal antecedents in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S. Tr. No. 485 of 2019, arising out of Maniyari P.S. Case No. 48 of 2013, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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