

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22548 of 2025

Arising Out of PS. Case No.-265 Year-2024 Thana- NAUTAN District- West Champaran

1. Jagdish Sahani S/O Chhotelal Sahani R/O Vill.- Dakshin Telua, P.S.- Nautan, Dist.- West Champaran
2. Chhotelal Sahani S/O Mangaru Sahani R/O Vill.- Dakshin Telua, P.S.- Nautan, Dist.- West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the State : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Nautan PS. Case No.265 of 2024 Dated-20.07.2024 registered for the offences punishable under Sections 140(1) and 3(5) of the B.N.S., 2023 and later on Sections 103(1) and 238 of the B.N.S., 2023 have been added.

3. As per allegation, co-accused Nitish Sahani has called the alleged victim to his house on occasion of marriage and all the accused persons including the petitioners asked the victim to transfer his land in the name of Nitish Kumar. But,



thereafter, the victim was missing and subsequently, after four days his dead body was recovered.

4. Learned counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case on the basis of suspicion. He further submits that similarly situated co-accused, Ashok Sahani and Santosh Sahani have already been enlarged on bail by a co-ordinate Bench of this Court vide order dated 14.02.2025 passed in Cr. Misc. No. 87186 of 2024.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner no.1 has been made accused in two other cases whereas the Petitioner no.2 has no criminal antecedent.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the



date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Concerned Court below, in connection with Nautan PS. Case No.265 of 2024, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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