

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25289 of 2025

Arising Out of PS. Case No.-292 Year-2024 Thana- BHAGWANPUR District- Vaishali

Jagarnath Sahni, Son of Late Ramnandan Sahni, resident of Village-Banthu
Ward No. 1, P.S.- Bhagwanpur, Distt -Vaishali at Hajipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dhananjai Kumar Singh, Advocate

For the Opposite Party/s : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 28-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Bhagwan Pur P.S. Case No.292 of 2024 registered for the
offences under Sections 103(1) and 3(5) of the Bhartiya Nyaya
Sanihta (in short 'B.N.S.').

3. The accused/petitioner is named in the FIR and is
in custody since 09.12.2024.

4. Allegation against the petitioner is to commit
murder of brother-in-law (Bahnoi) of the informant along with
ten named co-accused persons by using iron rods.

5. It is submitted by learned counsel appearing for
petitioner that the allegation *qua* physical assault is appearing
very much general and omnibus against the petitioner and if



postmortem report of the deceased be taken into consideration then, allegation of indiscriminate assault by using iron rod by ten named accused persons, *prima facie* creates a doubt *qua* occurrence as alleged. It is submitted that upon postmortem , only single injury was found upon head, which proved fatal beside some abrasion on back, which appears possible also due to falling on hard surface. It is submitted that after implicating petitioner out of family/neighbourhood dispute, good sense prevailed, whereafter informant by retracting his earlier version, filed a petition before learned A.C.J.M.-VI, Vaishali at Hajipur saying the correct version of the occurrence that his brother-in-law died due to falling on the ground, where he received fatal injury on his head. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as allegation *qua* physical assault appearing very much general and omnibus against the petitioner, which



creates *prima facie* a doubt *qua* occurrence in view of available injuries through postmortem report and retracted version, as discussed aforesaid, coupled with the fact that investigation of this case is already completed, where petitioner is in custody since 09.12.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Vaishali at Hajipur in connection with Bhagwan Pur P.S. Case No.292 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

U		T	
---	--	---	--

