

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30438 of 2025**

Arising Out of PS. Case No.-1222 Year-2023 Thana- TURKAULIYA District- East  
Champaran

- 
1. Mahendra Sahani S/o- Late Chandra Deo Sahani @ Chanar deo Sahani  
Resident of Village- Pipriya, P.S.-Turkauliya, District- East Champaran.
  2. Shambhu Sahani S/o- Late Chandra Deo Sahani @ Chanar deo Sahani  
Resident of Village- Pipriya, P.S.-Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Resident of Village- Pipriya, P.S.-Turkauliya, District- East  
Champaran.

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr.Dhurendra Kumar, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, A.P.P.

---

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

3      24-06-2025                      Heard learned counsel for the petitioners and  
  
learned Additional Public Prosecutor for the State.

2. The petitioners seek bail in a case registered for  
the offences under Sections 147/ 148/ 149/ 341/ 323/ 324/  
307/ 379/ 504/ 506 of I.P.C. and subsequently, Section 302  
of I.P.C. was added.

3. As per the prosecution case, the named accused  
persons including the petitioners had assaulted the  
informant party and due to the said incident and the injuries  
inflicted, one Dadan Chaudhary died.

4. Learned counsel for the petitioners submits that



petitioners have falsely been implicated in this case and no such incident had occurred as alleged in the FIR. Learned counsel further submits that even if the allegations levelled in the FIR is taken into account, the allegation upon the petitioners is to have caused injury to the informant's side and even during the course of investigation the description of the nature of injury has not come. Learned counsel further submits that there is no allegation upon the petitioners to have assaulted the deceased Dadan Chaudhary. Learned counsel next submits that similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 12.05.2025 passed in Cr. Misc. No. 18102/2025. It is lastly submitted that the petitioners have clean antecedent and are in custody since 22.10.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioners and submits that there is allegation upon the petitioners to have assaulted the informant's side.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period



of custody, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) on each of them with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Turkauliya P.S. Case No. 1222/2023 subject to the conditions :-

- a. One of the bailors of the petitioners shall be their close relative.
- b. The petitioners shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.
- d. The Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioners.

However, the acceptance of bail bonds in terms of the afore-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

tusharika/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

