

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38781 of 2025

Arising Out of PS. Case No.-63 Year-2024 Thana- Patauna District- Madhubani

Nagendra Sahni Son of Late Badri Sahni village- Kataiya, Ps- Patauna, Dist-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner seeks bail in connection with Patauna P.S. Case No. 63 of 2024, instituted for the offences under Sections 126(1), 115(2), 137(2), 140(3), 352, 351(2) and 3(5) of the B.N.S.

3. As per the prosecution case the informant has alleged that his son was having love affair with the daughter of the petitioner for the last two years and due to such relationship there was some heated arguments exchanged upon which the son of informant was assaulted and subsequently he died.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated on a false and concocted story with regard to an altercation with the son of the informant.



It has further been submitted that there is no eye witness to the occurrence and barring confessional statement of the petitioner, there is nothing to connect the petitioner with the present occurrence.

5. From the confessional statement, it transpires that there is an allegation upon the petitioner that he had assaulted the son of the informant with a knife.

6. However, from the perusal of the post-mortem report no injury, as alleged or as contended in the confessional statement, has been found. Lastly, it has been submitted that the petitioner has clean antecedent and is in custody since 08.10.2024.

7. Learned APP has vehemently opposed the prayer for bail and submitted that due to assault of the petitioner, the son of the petitioner has died.

8. Considering the aforesaid submissions and taking into account the allegation levelled against the petitioner *vis-a-vis* the post-mortem report, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Benipatti Madhubani in connection with Patauna P.S. Case No.



63 of 2024, subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner;

(ii) the petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned; and

(iv) the Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

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

(Sourendra Pandey, J)

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