

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40683 of 2025

Arising Out of PS. Case No.-153 Year-2022 Thana- CHIRAIYA District- East Champaran

Devlal Sahani S/o Ram Bahadur Sahani Resident of village- Lalbegiya, P.S.-
Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Chiraiya P.S. Case No. 153 of 2022 dated 25.03.2022 registered for the offences punishable u/s 302 and 120B of the Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution case, five accused persons boarded on two motorcycles and 10 unknown miscreants came and fired on the brother of the informant (Ram Binay Prasad) causing injury due to previous enmity under conspiracy. When the informant raised alarm they fired on him and fled away from there. Thereafter, the injured was taken to the hospital where he



was declared dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. There is no specific allegation against the petitioner rather the allegation against the petitioner is general and omnibus in nature. The petitioner has no concern with the alleged offence. The petitioner has five criminal antecedent as stated in para-3 of the bail petition. The petitioner is in custody since 16.02.2024. The co-accused, Baleshwar Sahani has already been granted regular bail by this Court vide order dated 25.08.2023 passed in Cr. Misc. No. 53392 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the anticipatory bail application of the petitioner has been rejected by the Co-ordinate Bench of this Court vide order dated 20.06.2023 passed in Cr. Misc. No. 63645 of 20222. It is further submitted that the charges against the petitioner is framed and out of 12 witnesses, prosecution has already examined 8 witnesses as mentioned in para-7 of the impugned order dated 07.05.2025.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, East Champaran in connection with Chiraiya P.S. Case No. 153 of 2022, with a condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

shivam/-

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

