

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44324 of 2025

Arising Out of PS. Case No.-437 Year-2023 Thana- RAMGARHWA District- East
Champaran

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Chanardev Sahani Son of Late Ramanand Sahani Resident of Village-
Siswaniya, P.S.- Ramgarhwa, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate Mr. Dhandev Kumar, Advocate Ms. Isha Mishra, Advocate
For the State	:	Mrs. Nirmala Kumari, APP
For the Informant	:	Mr. Madhurendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 15-09-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

2. In the present case, the petitioner seeks bail in connection with Ramgarhwa P.S. Case No. 437 of 2023 registered for the offences under Sections 147, 148, 149, 341, 323, 302, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, petitioner and other co-accused persons held the informant confined and forced to call his father. When the father of the informant reached the place, he was assaulted by the petitioner and other co-accused persons causing serious injury to him. Father of the informant died while being taken to the hospital.

4. Learned counsel appearing on behalf of the petitioner



submits that the petitioner is innocent and has been falsely implicated in this case. Though there is allegation in the FIR that the petitioner assaulted the father of the informant and he subsequently died, post-mortem report shows opinion has been reserved for report of viscera but even in chemical examination no metallic, alkaloidal, pesticidal or volatile poison have been detected in the viscera. This shows the father of the informant died a natural death. Petitioner and his family members have been made accused only to harass them. There is no direct or indirect evidence on record to shows the involvement of the petitioner in the offence as alleged. There is allegation of brutal assault against the petitioner though in the post-mortem report, two superficial injuries have been found, one is abrasion on right elbow and second is bruise over back of neck. Petitioner is in custody since 01.05.2025 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned A.P.P. as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that inquest report shows death was caused due to injury received on back of the head.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact



that the post-mortem report does not show death occurred due to any assault or injury and also considering the period of custody of the petitioner along with his clean antecedent and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned CJM, East Champaran, Motihari/concerned court in connection with Ramgarhwa P.S. Case No. 437 of 2023, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other 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.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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