

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43991 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- SARAIYA District- Muzaffarpur

1. Pankaj Kumar Sahni S/O Kailash Sahni R/O Village- Siuri Gopinathpur, P.S- Saraiya, Distt.- Muzaffarpur.
2. Kailash Sahni S/O Late Poshan Sahni R/O Village- Siuri Gopinathpur, P.S- Saraiya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitu Kumari

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-07-2025 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Saraiya P.S. Case No. 77 of 2025 dated 14.02.2025 registered for the offences punishable u/ss 126(2), 115(2), 109, 103(1) read with section 3(5) of the BNS.

3. As per the prosecution case, the petitioner no. 1 and the co-accused Pawan Kumar took the informant's son with them and whereafter all the accused persons conjointly subjected him to physical assault. When the informant and others came to rescue, they also committed marpit with them



and Pawan Kumar and Ajit Sahni caught hold of the informant's son and Pankaj (the petitioner no. 1) started stabbing the informant's son causing sever injury and they fled away from there. Thereafter, the injured were taken to hospital, where the doctor declared him dead.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is no any allegation against the petitioner no. 2 rather the specific allegation of stabbing is against the petitioner no. 1, namely, Pankaj Kumar Sahani. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 16.02.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners by submitting that there is specific allegation against the petitioner no. 1, namely, Pankaj Kumar Sahni of stabbing the informant's son due to that he died which also supports from the postmortem report.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner no. 2, Kailash Sahni, 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, West Muzaffarpur in connection with Saraiya P.S. Case No. 77 of 2025.

7. The application for the the petitioner no. 2, namely, Kailash Sahni stands allowed.

8. So far as, the petitioner no. 1, namely, Pankaj Kumar Sahani, is concerned, considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner no. 1, I am not inclined to enlarge the petitioner no. 1 on bail.

9. Accordingly, the application regarding the petitioner no. 1 namely, Pankaj Kumar Sahani stands rejected.

(Chandra Prakash Singh, J)

guddukr/-

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

