

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51263 of 2025

Arising Out of PS. Case No.-566 Year-2024 Thana- KANTI District- Muzaffarpur

Rakesh Kumar Sahni @ Rakesh Sahani S/o Navami Sahni @ Nanki Sahani
R/o Village- Mithansarai Madhopur (Methanapur), P.S.- Ahiyapur, District-
Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mrs.Bela Singh, Advocate

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-11-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. Petitioner seeks regular bail in connection with
Kanti P.S. Case No. 566 of 2024 registered for the offences
punishable u/s 137(2), 140(3), 3(5) of the B.N.S.

3. As per the prosecution case, husband of the
informant, namely, Kushar Sahni had gone with a labourer who
is petitioner here, but her husband did not return that night.
Informant raised suspicion that the petitioner and his associates
kidnapped her husband and killed him since earlier they had
threatened to kill him due to a land dispute.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case on the basis of suspicion. At best, it is a case of last seen of
the petitioner with the deceased. Learned counsel submits that
save and except suspicion and confessional statement of the
petitioner, there is no other direct or indirect evidence against
the petitioner to show his complicity in the occurrence. It is
next submitted that nothing incriminating has been recovered



from possession of the petitioner and in the entire case diary the police during the investigation has not been able to prove the motive of any dispute with regard to land or transaction of money. It is lastly submitted that the petitioner has clean criminal antecedent and are in custody since 27.10.2024 and the charge sheet has already been submitted. Co-accused, with similar allegation, has already been allowed pre-arrest bail by a co-ordinate bench of this Court vide order passed in Cr.Mis.No. 7746/2025.

5. Learned APP for the state has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts, let the petitioner named above be released on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, West Muzaffarpur in Kanti Police Station Case No. 566/2024.

(Prabhat Kumar Singh, J)

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