

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59855 of 2025**

Arising Out of PS. Case No.-314 Year-2021 Thana- MOTIHARI MUFASIL District- East  
Champaran

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Vikash Sahani S/o Raja Ram Sahani R/o Village - Kodai, P.S - Pakridayal,  
District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Khushi Awadh

For the Opposite Party/s : Mr.Shailendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      05-12-2025                      Heard the parties.

2. The petitioner seeks bail in connection with Muffasil  
  
P.S. Case No. 314 of 2021 registered for the offences under  
  
Sections 147, 148, 149, 341, 323, 342, 324, 325, 307, 302 and  
  
120B of the IPC and Sections 25(1-b)a, 26, 27 and 35 of the  
  
Arms Act and Sections 3 and 4 of the Explosive Substance Act.

3. The petitioner is not named in the F.I.R. and is in  
  
custody since 10.06.2025.

4. As per FIR, the informant who is the eye-witness of  
  
the occurrence alleged that co-accused namely Anil Prasad  
  
Kushwaha open firing upon uncle of informant, who subsequently  
  
died out of said injuries, other accused persons including petitioner  
  
were also alleged involved in the occurrence.

5. Learned counsel appearing on behalf of the petitioner



submitted that name of petitioner transpires on the basis of confessional statement of co-accused Hari Om Sahani and Genalal Sahni both of them granted bail by different learned Co-ordinate Benches of this Court through Cr. Misc. No. 12705 of 2022 dated 02.01.2023 & Cr. Misc. No. 36698 of 2022 dated 17.11.2022. It is pointed out that specific allegation as per FIR, where informant is the eye-witness of the occurrence is available against Anil Kushwaha to cause fatal firearm injury has also granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 53193 of 2023 dated 24.08.2023. It is submitted that nothing incriminating transpired during the course of investigation out of confessional statement of co-accused as submitted aforesaid, which may suggest involvement of petitioner with the present crime in question. While concluding the argument it is submitted that, petitioner found involved in three more cases, where he is acquitted in one case and on bail in rest two cases and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP, opposes the prayer for bail.

7. In view of aforesaid factual submission and by taking note of fact as save and except suspicion arising out of confessional statement of co-accused person, who are now on bail,



prima-facie nothing incriminating surfaced during investigation as to connect petitioner with the present crime in question, coupled with the fact as petitioner remains in custody since 10.06.2025, accordingly above named petitioner, is directed to be released on bail in connection with Muffasil P.S. Case No. 314 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. East Champaran, Motihari/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

**(Chandra Shekhar Jha, J.)**

S.Tripathi/-

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