

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65789 of 2025

Arising Out of PS. Case No.-265 Year-2024 Thana- NAUTAN District- West Champaran

Vakil Sahni @ Veyas Sahni S/O Mangaru Sahni R/O Village- Dakshin Telua,
Police Station- Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 12-09-2025 Heard learned counsel for petitioner and learned
counsel for the State.

2. This is the second bail application preferred by the
petitioner.

3. The petitioner had earlier moved to this Court for
grant of anticipatory bail bearing Cr. Misc. No. 14867 of 2025
and the same was allowed *vide* order dated 27.06.2025. In the
bail application, it was stated that the petitioner had clean
antecedent but subsequently, it was found that the petitioner
carried two criminal antecedents, and hence the earlier order
could not be given effect to due to the condition imposed.

4. Petitioner apprehends his arrest in connection with
Nautan P.S. Case No. 265 of 2024 registered for the offences



under Sections 140(1), 3(5), 103(1), 238 of the B.N.S.

5. As per the prosecution case, the allegation against the petitioner is that co-accused Nitish Kumar @ Rohit Sahani had called the victim to his house on the occasion of marriage and all the accused persons including this petitioner had asked the victim to transfer the land in the name of Nitish Kumar, thereafter, the victim went missing and subsequently four days of the institution of the FIR, his dead body was recovered.

6. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely on suspicion. Learned counsel for the petitioner further submits that barring the same there is nothing on record to connect the petitioner with the alleged crime even if the statement of the co-accused is taken into account. It is also submitted by learned counsel for the petitioner that the similarly situated co-accused persons have also been granted anticipatory bail by Co-ordinate Bench of this Court *vide* order dated 14.02.2025 passed in Cr. Misc. No. 87186 of 2024 and the order dated 30.04.2025 passed in Cr. Misc. No. 22548 of 2025.

7. Learned Additional Public Prosecutor for the State vehemently opposed the prayer for bail of the petitioner and has submitted that the petitioner along with other co-accused



persons were involved in killing of the victim.

8. Considering the aforesaid submissions of respective counsel and taking into account that barring suspicion there is nothing against the petitioner, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Nautan P.S. Case No. 265 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two 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.



(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. Accordingly, the prayer for anticipatory bail is allowed.

10. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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