

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73265 of 2025

Arising Out of PS. Case No.-334 Year-2025 Thana- BANJARIA District- East Champaran

1. Mohan Sahani S/o Nathuni Sahani R/o Village - Chailahan Tal, P.S - Banjariya, District - East Champaran
2. Nand Kishore Sahani S/o Mohan Sahani R/o Village - Chailahan Tal, P.S - Banjariya, District - East Champaran
3. Jitendra Sahani S/o Mohan Sahani R/o Village - Chailahan Tal, P.S - Banjariya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-11-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in a case registered for offence under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 103(1), 352 and

3. As per prosecution case, on 17.06.2025 at about 6:25 PM, due to previous enmity, all the accused persons named in the F.I.R. including these petitioners and 60-70 unknown persons, armed with weapons, came at the door of informant and started abusing husband of informant and thereafter, on the order of co-accused Shiv Kumar Das, co-accused Sikandar



Sahani assaulted husband of informant with lathi, co-accused Mukul Kumar caught his hands and co-accused Kameshwar Sahani inflicted knife blow on the abdomen of informant's husband, due to which, he (informant's husband) fell down on ground and thereafter, co-accused Sugriv Ram and Bhulan Sahani assaulted him with iron rod. It is further alleged that when informant's son came for rescue, co-accused Raja Kumar assaulted him with knife and when informant's father-in-law came to save, he was assaulted by petitioner no. 1 with iron pipe and thereafter, petitioner no. 3 assaulted Md. Ahsanul Haque with knife, due to which, both sustained injuries and husband of informant died on way to hospital.

4. Learned counsel for the petitioners submits that from perusal of F.I.R., it is apparent that petitioners are not assailant of the deceased. Petitioner nos. 1 & 3 are only alleged to have assaulted family members of the informant, who sustained injuries, whereas, there is no allegation of overt act against petitioner no. 2. Petitioners have got clean antecedent and are in custody since 19.06.2025. Chargesheet has been submitted.

5. Learned A.P.P. for the State vehemently opposed the bail petition.



6. Considering the aforesaid facts and circumstances as well as period of custody, let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Sadar at Motihari, East Champaran / concerned Court in connection with Banjariya P.S. Case No. 334 of 2025.

(Prabhat Kumar Singh, J)

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