

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83293 of 2025

Arising Out of PS. Case No.-271 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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Umesh Sahani Son of Yogendra Sahani Resident of Village - Baluva Tola
Murarpur, P.S. - Harsidhi, District - East Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Motihari Mufassil P.S. Case No. 271 of 2021 registered for the alleged offences under Sections 341, 342, 324, 307, 34 of the Indian Penal Code and Section 27 of the Arms Act.

03. As per prosecution case, three miscreants fired upon the brother of the informant outside his shop. The name of the petitioner transpired during investigation as one of the assailants who was also involved in the alleged occurrence.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. Nothing incriminating has been recovered from the person or possession of this petitioner. The name of the petitioner came up in confessional statement of co-accused persons and except for that there is no material against the petitioner. The allegation is general and omnibus against all the accused persons. Other co-accused persons, namely Nandan Sahani and Shivam Sahani, have been granted bail by a Co-ordinate Bench vide order dated 21.09.2022 passed in Criminal Misc. No. 36928 of 2022 and order dated 22.09.2022 passed in Criminal Misc. No. 37379 of 2022, respectively. After the petitioner was named in the present case, he was named by the police in five other cases as well. The petitioner is in custody since 02.03.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material against the petitioner showing his involvement in the alleged occurrence and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Motihari, East Champaran/court concerned in connection with Motihari Mufassil P.S. Case No. 271 of 2021, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three 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.

(Arun Kumar Jha, J)

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