

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87186 of 2024**

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

1. Ashok Sahani Son of Late Madan Sahani Village - Dakshin Telua Ward no. 4, PS- Nautan, Dist- West Champaran
2. Santosh Sahani son of Late Madan Sahani Village - Dakshin Telua Ward no. 4, Ps- Nautan, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                                     |
|----------------------|---|---------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Bashishtha Narayan Mishra, Adv.<br>Mr. Brij Kishor Mishra, Adv. |
| For the informant    | : | Mr. Umesh Kumar Gupta, Adv.                                         |
| For the State        | : | Mr. Pramod Kumar Pandey, APP                                        |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      14-02-2025                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in Nautan P.S. Case No. 265 of 2024 registered for the offences punishable under Sections 140(1), 3(5) of B.N.S. later on Sections 103(1), 238 of B.N.S. was added.

3. The prosecution case, in brief, is that on 07.07.2024 the son of the informant's brother-in-law, namely, Nitish Kumar @ Rohit Sahani had talked with his phone and called them to attend his marriage on 12.07.2024. Informant's son Nikhil on 09.07.2024 arrived at Telua. It is alleged that the accused persons of the case gave threats and asked to execute sale deed with respect to his share of land otherwise they would



kill him. It is further alleged that son Nikhil was missing since the night of 13.07.2024 and probably he had been killed.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the petitioners are named in the F.I.R. He further submits that there is no specific overt act against the petitioners. He next submits that only on the basis of confessional statement of co-accused Rita Devi, petitioners have been made accused in the present case. The petitioners have two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that the petitioners are also involved in the present case.

6. Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioners, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each 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 condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Anjani Kumar Sharan, J)

devendra/-

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