

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1710 of 2025

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

Dev Kumar Sahani Son of Late Rameshwar Sahani @ Rameshwary Sahni
Resident of Vill- Dakshin Teluha, P.S.- Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.
Mr. Umesh Kumar Gupta, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 04-04-2025 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Nautan P.S. Case No. 265 of 2024 registered for the offence punishable under Sections 140(1), 3(5) of the B.N.S., 2023. Later on, 103(1)/238 of the B.N.S. were added.

3. The prosecution case, in brief, is that on 07.07.2024, the son of the informant's *Bhasur* had talked with her on phone and invited her and her son to attend his marriage. On 09.07.2024, the informant's son reached at Telhua to attend marriage and when her son reached there, the FIR named accused persons along with some unknown persons put pressure upon the informant and her son to execute sale deed with



respect to his share of land in the name of Nitish Kumar, otherwise they would kill him. It is further alleged that after that incident, the informant's son was missing since the night of 13.07.2024 and the informant has suspicion that he had been killed by the FIR named accused persons.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There is property regarding dispute between the parties. There is no eye-witness to the alleged occurrence. Nothing specific has been attributed against him. From bare perusal of the FIR, it is evident that the thrust of the accusation is against co-accused Nitish Sahani and his brothers. The name of the petitioner has been transpired in the present case merely on suspicion. He has one criminal antecedent and he has been languishing in judicial custody since 02.09.2024.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the nature of the offence, I am not inclined to enlarge the



petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

8. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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