

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1380 of 2025

Arising Out of PS. Case No.-239 Year-2023 Thana- NAUTAN District- West Champaran

1. Lalbabu Sahani S/o Late Molan Sahani @ Late Bhulan Sahani R/o Village-Jagdishpur, Nauka Tola, P.S.- Nautan Jagdishpur @ Jagdishpaur, District-West Champaran
2. Pramod Sahani S/o Late Molan Sahani @ Late Bhulan Sahani R/o Village-Jagdishpur, Nauka Tola, P.S.- Nautan Jagdishpur @ Jagdishpaur, District-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Umesh Kumar Gupta, Advocate
For the State	:	Mr. Ram Naresh Ray, APP
For the Informant	:	Mr. Gyan Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-03-2025 Heard Mr. Umesh Kumar Gupta, learned counsel appearing for the petitioners, Mr. Ram Naresh Ray, learned APP appearing for the State and Mr. Gyan Prakash, learned counsel appearing for the informant.

2. The petitioners seek bail in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 325, 307, 302, 379, 504 and 506 of the Indian Penal Code.

3. The prosecution case, as per Fardbayan of informant is that these petitioners, along with other accused persons named in the F.I.R., assaulted father of informant by means of iron rod and lathi as a result of which, father of



informant died during course of treatment.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have falsely been implicated in this case due to old enmity. As a matter of fact, prior to the alleged occurrence, informant and his family members brutally assaulted Petitioner No. 2, his wife and mother for which a case bearing Nautan (Jagdishpur) P.S. Case No. 244 of 2023 was lodged against informant and others and in retaliation, this false and concocted case has been lodged. Allegation of assault is general and omnibus and there is no specific accusation of overt act against these petitioners. Charge-sheet has already been submitted and Petitioner No. 1 is in custody since 07.09.2024 and Petitioner No. 2 is in custody since 19.09.2024. Petitioners claim clean antecedents.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of informant have vehemently opposed the prayer for grant of bail to the petitioners and submitted that petitioners are named in the F.I.R. with specific and direct accusation that they, along with other accused persons, assaulted father informant with iron rod and lathi as a result of which he died during course of treatment. It is further submitted that post mortem report shows that death



occurred due to head injury.

6. Considering the aforesaid facts and circumstances of the case and specific and direct nature of accusation, the prayer for grant bail of to the petitioners is rejected.

(Prabhat Kumar Singh, J)

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