

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4888 of 2026

Arising Out of PS. Case No.-311 Year-2025 Thana- PAKRIDAYAL District- East Champaran

1. Rajendra Sahani Son of Udeshi Sahani R/o Village - Banarjhula Bhagwanpur, P.S. - Pakaridayal, Dist. - East Champaran.
2. Nagina Sahani D/o Udeshi Sahani R/o Village - Banarjhula Bhagwanpur, P.S. - Pakaridayal, Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shamir Mehra, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in connection with Pakridayal P.S. Case No. 311 of 2025 registered for the offence punishable under Sections 191(2), 191(3), 190, 329(3), 126(2), 115(2), 118(1), 109, 103(1), 125(b) & 117(2) of the B.N.S. and Section 27 of the Arms Act.

3. The case of the prosecution, in short, is that the informant was constructing his house. Meanwhile, the petitioners along with others being armed with weapon arrived there. It is specifically alleged that Shivraj Sahani, Nawal Sahani, Sikindra Sahani @ Sikki Sahani and Praveen Sahani



were armed with pistol. It is alleged that Shivraj Sahani, Nawal Sahani, Sikindra Sahani, Praveen Sahani started firing due to which Ajay Sahani received two gunshot injuries in his chest due to which he died. Further allegation is that when family members of Ajay Sahani came to rescue, then all the accused persons assaulted them.

4. Learned counsel appearing on behalf of the petitioners has submitted that from perusal of the FIR itself it is clear that there is no allegation against these petitioners. They are only member of the mob. It has further been submitted that similarly situated co-accused Saraswati Kumari has been granted bail by this Court vide Cr. Misc. No. 69834 of 2025 and one Jiyalal Sahani has been granted bail by learned Co-ordinate Bench vide Cr. Misc. No. 86243 of 2025. The case of these petitioners stand on similar footing. Learned counsel for the petitioners has lastly submitted that petitioner no.1, namely, Rajendra Sahani is having no criminal antecedent whereas petitioner no. 2, namely, Nagina Sahani is having criminal antecedent of one case. Learned counsel has lastly submitted that the petitioners are in judicial custody since 28.06.2025.

5. Learned APP appearing for the State has vehemently opposed the application for bail.



6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each of them with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VIII, Motihari, East Champaran in connection with Pakridayal P.S. Case No. 311 of 2025.

(Ashok Kumar Pandey, J)

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