

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3229 of 2026

Arising Out of PS. Case No.-510 Year-2025 Thana- SUGAULI District- East Champaran

Govind Sahani Lal Sahani Resident of Village - Nayaka Tola Madhumalti,
P.S.- Sugauli, District - East Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP
For the Informant : Mr. Kundan Rathore@ Kundan Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2026

Heard Mr. Ajay Kumar Singh, learned counsel for the petitioner, Mr. Bharat Lal, learned Additional Public Prosecutor for the State as well as Mr. Kundan Rathore@ Kundan Kumar, learned counsel for the Informant.

2. Petitioner seeks bail who is in custody since 30.09.2025 in connection with Sugauli P.S. Case No. 510 of 2025, F.I.R. dated 28.09.2025 for the offences punishable under Sections 103(1) and 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, on 25.09.2025 at about 7.00 P.M, petitioner along with other co-accused persons took away informant's son and committed his murder in the field of sugarcane.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation levelled against the petitioner is



false and fabricated and there is no eye witness of the alleged occurrence. It appears from the FIR that date of the occurrence was on 25.09.2025 but the FIR was lodge on 28.09.2025 i.e. after delay of about three days without giving any reason of delay. He next submits that during course of investigation, confessional statement of one co-accused, Devanand Kumar was taken in which he disclosed the name of the petitioner and except the disclosure made by apprehended co-accused person, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 30.09.2025.

5. The learned Additional Public Prosecutor and learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and except the disclosure made by apprehended co-accused person, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Sugauli P.S. Case No. 510 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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