

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5448 of 2026

Arising Out of PS. Case No.-49 Year-2005 Thana- PAROO District- Muzaffarpur

Baijnath Sahni @ Baidhnath Sahni S/o Late Brahmdev Sahni R/o Village-
Deluha, P.S- Paroo, Dist- Muzaffar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-01-2026 Heard Mr. Ashutosh Kumar, learned counsel for the
petitioner and Mr. Mritunjay Kumar Nirala, learned Additional
Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
02.04.2025 in connection with Paroo P.S. Case No. 49 of 2005,
F.I.R. dated 23.04.2005 for the offences punishable under
Sections 364A and 120B of the Indian Penal Code.

3. According to prosecution case, petitioner and other
accused persons armed with weapons are alleged to have
kidnapped the sons of the informant and demanded Rs. 5 Lakhs.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
petitioner is not named in the FIR and the name of the petitioner



transpired during investigation on the basis of confessional statement of co-accused person, namely, Urmila Devi and said Urmila Devi has been acquitted by the learned trial Court vide order dated 26.02.2007 in Session Trial No. 855 of 2005 and except the confessional statement of co-accused person, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence and the police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 02.04.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the petitioner has clean antecedent and the name of the petitioner has been transpired during investigation on the basis of confessional statement of co-accused person, namely, Urmila Devi and she has been acquitted by the learned trial court, 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 Additional Session Judge, Fast Track Court No. 5, Muzaffarpur in connection with Paroo P.S. Case No. 49 of 2005, with 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 her absence on two consecutive dates without sufficient reason, his/her 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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