

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4082 of 2026

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

1.

Shioraj Sahani S/O Fuldev Sanani Resident of village- Banaijhula, Bhagwanpur, P.S.- Piprakothi, District- East Champaran, Motihari
2.

Praveen Sahani S/O Fulgen Sahani Resident of village- Banaijhula, Bhagwanpur, P.S.- Piprakothi, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 4463 of 2026

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

Rajpati Devi W/O Fuldev Sahani Resident of village- Banarjhula, Bhagwanpur, PS - Piprakothi, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 4082 of 2026)
For the Petitioner/s : Ms. Sharda Nand Mishra, Advocate
Ms. Isha Mishra, Advocate
Mr. Sumit Kumar Gupta, Advocate
For the Opposite Party/s : Mr.Binod Kumar, App
(In CRIMINAL MISCELLANEOUS No. 4463 of 2026)
For the Petitioner/s : Ms. Sharda Nand Mishra, Advocate
Ms. Isha Mishra, Advocate
Mr. Sumit Kumar Gupta, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

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09-02-2026

Heard learned counsel for the petitioners and learned APP for the State.

2. Since both the bail applications arise out of the same police station case, this court has passed common order.



3. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Pakridayal P.S. Case no. 311 of 2025 instituted for the offence under Sections 191 (2), 191 (3), 190, 329 93), 126 (2), 115 (2), 118 (1), 109, 103 (1), 125 (b) and 117 (2) of the BNS and Section 27 of the Arms Act.

4. The case of the prosecution is that the accused persons namely, Shivraj Sahni, Nawal Sahani, Sikandar Sahni and Parveen Sahni made firing upon the son of the informant, namely, Ajay Sahni due to which he sustained injuries in his chest and when Nidhi Sahni, Davanti Sahni and Bindeshwari Sahani came to rescue, accused persons assaulted them. Thereafter, Informant took Ajay Sahani to Sub- Divisional Hospital, Pakridayal where doctor referred him to Motihari but on the way, the injured Ajay Sahani died.

5. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that from perusal of the FIR, it is clear that there is general and omnibus allegation against all the four accused persons whereas from a perusal of the post-mortem report, it would transpire that the doctor conducting the autopsy has found only one injury i.e.



one entry and one exit. So far as petitioner, namely, Rajpati Devi is concerned, there is no allegation against her.

6. Learned APP appearing for the State has vehemently opposed the prayer of bail of the petitioners and has submitted that there is direct allegation against Shivraj Sahni, Nawal Sahani, Sikandar Sahni and Parveen Sahni of firing and due to their firing, Ajay Sahani died.

7. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is not inclined to enlarge the petitioners, namely, Shioraj Sahani and Praveen Sahani of Cr. Misc. No. 4082 of 2026. Accordingly the bail application of the said petitioners stands **rejected**.

8. Accordingly, the petitioners, namely, Shioraj Sahani and Praveen Sahani are directed to surrender before the learned trial Court and the learned trial Court shall dispose of the bail petitions on merits without being prejudiced by the present order.

9. However, as there is no specific allegation against petitioner, namely, Rajpati Devi of Cr. Misc. No. 4463 of 2026, her application for anticipatory bail stands **allowed**. The petitioner is directed to surrender in the Court below within a



period of four weeks from today and in the event of her arrest or surrender in connection with Pakridayal P.S. Case no. 311 of 2025, she will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-VIIIth, East Champaran, Motihari, subject to the conditions as laid down under section 438(2) of the Cr.P.C/ Section 482 (2) of the BNSS.

(Ashok Kumar Pandey, J)

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