

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12389 of 2026

Arising Out of PS. Case No.-126 Year-2004 Thana- AGAMKUAN District- Patna

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Prem Sahni @ Gopal Chaudhry S/o- Kapilmuni Sahni @ Kapil Chaudhry
R/V- Gandhi Nagar PS-Agamkuan Dist- Patna Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Eashita Raj, Advocate
For the State : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 30-04-2026

Heard Ms. Eashita Raj, learned counsel for the
petitioner and Mr. Anil Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
12.02.2025 in connection with Agamkuan P.S. Case No. 126 of
2004, FIR dated 21.04.2004 registered for the offence under Section
302, 307, 34 of the Indian Penal Code and Section 25(1-B)a, 26, 27,
35 of the Arms Act.

3. Allegation against the petitioner is that he along with
other co-accused person opened fired upon the informant and his
brother due to which informant's brother sustained injuries and died
on spot. It is further alleged that the petitioner and other accused
person had previously attacked and injured his brother on two
occasion and cases were registered.

4. Learned counsel appearing for the petitioner submits
that the petitioner is innocent and he has falsely been implicated in
this case. She next submits that although FIR was instituted in the



year 2004 but on 12.02.2025, the petitioner has been remanded in connection with Fatuha P.S. Case no. 164 of 2014. She next submits that petitioner has not been remanded in the present case as yet and from bare perusal of the FIR it appears that there is no specific allegation against the petitioner.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that petitioner is named in the FIR and apart from that there is direct and specific allegation against the petitioner that he along with other accused persons have fired upon the brother of the informant and he died on the spot. Furthermore, it is submitted that the petitioner had absconded since 2004 and has been in custody since 12.02.2025. Owing to his prolonged absence, the trial could not proceed.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Agamkuan P.S. Case No. 126 of 2004, pending in the Court of Additional District and Sessions Judge-II, Patna City.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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