

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10589 of 2026

Arising Out of PS. Case No.-471 Year-2022 Thana- PAROO District- Muzaffarpur

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1. Raj Kumar Sahani S/o Bhuneshwar Sahani R/o Village - Basantpur, P.S - Paroo, District - Muzaffarpur
 2. Vijay Kumar Sahani @ Vijay Sahani @ Vijay Kumar S/o Late Tileshtar Sahani R/o Village - Basantpur, P.S - Paroo, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prasoona Kumar

For the Opposite Party/s : Ms. Asha Devi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 16-02-2026 1. Heard the learned Advocate for the petitioners and the learned APP for the State.

2. The petitioners seek bail in a case instituted for the offences under Sections 341, 323, 147, 148, 149, 302, 304, 120(B), 504 and 506 of the Indian Penal Code and Sections 25(1-B)a, 26 and 27 of the Arms Act.

3. The learned counsel for the petitioners has submitted that petitioners are persons with clean antecedent and the informant alleges that two dead bodies were recovered and the same was identified as that of Pankaj and Bhutkun. Further, body of Pankaj had firearm injury and a pistol was lying near the two dead bodies. It is next alleged that informant came to know that Pankaj, Bhutkun along with Ranjeet were returning



home after liquor party, when on the way there was an altercation amongst the three and Bhutkun with his pistol shot Pankaj dead and in the meantime, nearby people gathered along with the petitioners who shot Bhutkun to death.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant, who is a Chaukidar, alleges that two dead bodies were found lying at the place of occurrence and he came to know later that Pankaj, Bhutkun along with Ranjeet were returning after a liquor party and on account of an altercation amongst them Bhutkun shot Pankaj and thereafter people gathered along with the petitioners and assaulted Bhutkun to death.

5. The learned counsel appearing on behalf of the petitioners submits that informant is not an eye witness to the occurrence nor he has disclosed that who saw the occurrence or the petitioners assaulting Bhutkun. It is next submitted that entire allegation hinges around suspicion and even presuming what has been alleged is true without admitting, then it is not the case of the prosecution that it was only petitioners who along with Ranjeet assaulted Bhutkun to death as it has been alleged



that nearby people gathered who assaulted Bhutkun. It is reiterated and submitted that petitioners are persons with clean antecedent and will not abscond rather will cooperate in the trial to prove their innocence. It is further submitted that petitioners are in custody since 14.12.2025 and charge-sheet has been submitted.

6. The learned A.P.P. for the State opposes the prayer for regular bail of the petitioners, but then, is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that from perusal of the allegation as alleged in the FIR, it manifests that informant is not an eye witness to the occurrence and the allegation hinges around suspicion.

7. Considering the facts afore-stated, the petitioners, above-named, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M.F.C., Muzaffarpur (West) in connection with Paroo P. S. Case No. 471 of 2022.

8. The application stands allowed.

(Satyavrat Verma, J)

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