

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10255 of 2026

Arising Out of PS. Case No.-78 Year-2025 Thana- BARIYARPUR District- Munger

Vijay Kumar Sahani S/o Mahdi Sahani R/o Village- Bariyarpur Basti, P.O-
Bariyarpur, P.S- Bariyarpur, Dist- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate
For the State : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-04-2026 Heard Mr. Shivjee Singh, learned counsel for the
petitioner and Mr. Rajendra Singh, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 01.06.2025, in connection with Bariyarpur P.S. Case No. 78 of 2025, F.I.R. dated 31.05.2025 registered for the offences punishable under Sections 126(2), 115(2), 303(2), 103(1), 352, 351(2), 351(3) 3(5) of the B.N.S., 2023 but the police after investigation submitted chargesheet under Section 105 of the B.N.S.

3. Allegation against the petitioner is that he along with other co-accused persons having armed with lathi danda came at his house and the petitioner murdered his father by strangulating.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated



in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that it appears from the F.I.R. that the date of occurrence as alleged in the F.I.R. is 30.05.2025 at about 2:00 P.M. and the present F.I.R. was instituted on 31.05.2025 at about 12:10 P.M. and the postmortem report of the deceased was conducted on 31.05.2025 at about 07:35 A.M. but the inquest report was prepared on 30.05.2025 at about 05:30 P.M. which suggests that the F.I.R. was instituted after the postmortem report and apart from that from perusal of the CCTV footage which was recorded in paragraph-27 of the case diary which suggests that the deceased has pulled the petitioner and apart from aforesaid the cause of death which was mentioned in the postmortem report does not support the allegation as alleged in the F.I.R. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 01.06.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released 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



Additional Chief Judicial Magistrate-II, Munger in connection with Bariyarpur P.S. Case No. 78 of 2025, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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