

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12785 of 2026**

Arising Out of PS. Case No.-142 Year-2019 Thana- DANDARI District- Begusarai

Ashok Sahni @ Ghurchan Sahni Son of Vakil Sahni Resident of Village -  
Amansi, Police Station - Morkahi, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                           |
|----------------------|---|-----------------------------------------------------------|
| For the Petitioner/s | : | Mr. Bipin Kumar, Advocate<br>Mr. Abhishek Kumar, Advocate |
| For the State        | : | Ms. Anita Kumari, APP                                     |

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

4      09-06-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in a case registered for  
the offence punishable under Sections 302 and 34 of the IPC.

3. As per the prosecution case, all the FIR named  
accused persons including this petitioner conspired to kill Bhim  
Sahni, husband of co-accused Kajal Devi.

4. Learned counsel for the petitioner submits that the  
the allegations made against the petitioner, who happens to be the  
*Saadhu* (brother-in-law) of the deceased, who is the informant's  
son, is only based upon suspicion as there is neither any direct  
evidence nor any eye-witness to the alleged occurrence. The  
petitioner has been made an accused on the pretext that he was  
having some illicit and illegitimate relationship with the wife of



the deceased, Kajal Devi and it is on account of such reason that both the petitioner and Kajal Devi have been made accused in the present case. The postmortem report, however suggests that the cause of death was asphyxia caused due to hanging and as a matter of fact, the occurrence had taken place on 22.12.2019, the postmortem was done on 24.12.2019 and the present FIR was lodged after a delay of 7 days, only on 29.12.2019 after due thought and deliberation. By way of supplementary affidavit, the petitioner has brought on record, the final form submitted by the police after investigation on 29.01.2020 whereafter, differing with the same, cognizance was taken by the learned Magistrate on 03.12.2021. After rejection of the prayer for anticipatory bail, the petitioner surrendered and sought regular bail. The petitioner is in custody since 23.12.2025 and has no criminal antecedent.

5. Learned APP for the State opposed the bail petition.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that the petitioner has been made an accused on the basis of suspicion and also upon consideration of the postmortem report, the delay in the FIR as also the fact that after investigation, final form was submitted in the case, let the above named petitioner, 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 the learned Additional Chief Judicial Magistrate-V, Begusarai/concerned Court below in connection with Dandari P.S. Case No. 142 of 2019.

7. However, the petitioner is directed to co-operate in the trial by remaining physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

**(Soni Shrivastava, J)**

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