

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17830 of 2026

Arising Out of PS. Case No.-536 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

Shyam Lal Sahni Son of Ramchandra Sahani R/O Vill.- Jagai Majhuoli, P.S.-
Bochahan, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan No.Ii, Advocate Mr. Pranav Kumar, Advocate Ms. Priyanka Kumari, Advocate Ms. Kumari Rupa, Advocate
For the Opposite Party/s :		Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 24-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201 and 34 of the Indian Penal Code.

3. The case of the prosecution is that the petitioner and one Arvind Kumar called Pramod Kumar Sahani from his house. He did not return home till 9PM. After that, the informant went to the house of Arvind Sahani where she was informed by his father that Pramod Kumar Sahani has gone with Arvind Sahani and 4-5 other persons. Later, the informant came to know that a dead body is lying near a trench. The informant



identified the dead body it was of the deceased.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that from perusal of the FIR, it is clear that the occurrence is of 19.11.2023 whereas the FIR was lodged on 25.11.2023. The dead body was recovered on 23.11.2023. Learned counsel has submitted that from perusal of the FIR, it is clear that the only allegation against this petitioner is that he and one Arvind Kumar have called the deceased from his house, at most, it can be a case of last scene theory but in this case, the dead body was recovered after four days and the gap is so long, so it cannot be concluded that the only the petitioner and Arvind Kumar have killed the deceased. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 26.10.2024.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with



Bochahan P.S. Case No. 536 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge-11, Muzaffarpur.

(Ashok Kumar Pandey, J)

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