

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20948 of 2026

Arising Out of PS. Case No.-283 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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Guddu Sahani S/O Late Birendra Sahani R/O Village- Siswa Ajagari, P.S-
Banjariya, Distt.- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate
For the State : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-03-2026 Heard Mr. Rajesh Kumar, learned counsel for the

petitioner and Mr. Nand Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
19.10.2025, in connection with Muffasil P.S. Case No. 283 of
2025, F.I.R. dated 09.05.2025 registered for the offences
punishable under Section 309(4) of the B.N.S., 2023

3. The F.I.R. of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the petitioner is not named
in the F.I.R. and the name of the petitioner has been transpired



on the basis of confessional statement of co-accused person namely Chetan Kumar and except the aforesaid, no other cogent materiaql has come during investigation to suggest the involvement of the petitioner in the present occurrence and nothing has been recovered from the conscious possession of the petitioner and till date no TIP was conducted by the prosecution. He further submits that the said co-accused person, namely, Chetan Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 11.02.2026 passed in Cr. Misc. No. 73661 of 2025. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 19.10.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries nine more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case and the fact that the petitioner is not named in the F.I.R and the name of the petitioner has been transpired on the basis of confessional statement of co-accused person, namely, Chetan



Kumar and the said co-accused Chetan Kumar who has disclosed the name of the petitioner has been granted bail by a Coordinate Bench of this Court and till date no TIP was conducted by the prosecution, 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 Chief Judicial Magistrate, Motihari, East Charmaparan in connection with Muffasil P.S. Case No. 283 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.

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(Rajesh Kumar Verma, J)

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