

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21321 of 2026

Arising Out of PS. Case No.-410 Year-2024 Thana- KESARIA District- East Champaran

Govinda Sahani @ Govind Sahani Son of Jagdish Sahani Resident of Village
- Bhatha(Bhatahan), P.S. - Muffasil, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-04-2026 Heard Mr.Ajay Kumar Singh, learned counsel for

the petitioner and Mr.Anuj Kumar Shrivastava, learned

Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
21.03.2025 in connection with Kesariya P.S. Case No.410 of
2024, F.I.R. dated 06.12.2024 registered for the offence
punishable under Section 309(4) of BNS, 2023.

3. The FIR of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that
the petitioner is not named in the FIR. The name of the
petitioner has been transpired during investigation on the
basis of the confessional statement of co-accused person,



namely, Rahul Singh which was recorded in Kesariya P.S.Case No. 411 of 2024. Learned counsel for the petitioner submits that except the confessional statement of co-accused person, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. Tthereafter, the petitioner has been arrested in Kesariya P.S.Case No. 413 of 2024 on 12.12.2024, the petitioner has accepted his guilt and he has been remanded in the present case on 21.03.2025 but till date no TIP has been conducted by the prosecution, the police, after investigation submitted the chargesheet against the petitioner and the petitioner is in custody since 21.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries thirteen more cases other than the present one and out of thirteen cases, the petitioner is on bail in eleven cases, rest two cases are pending for consideration before the competent court of law, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, petitioner is not named in the FIR, the name of the petitioner has been



transpired during investigation on the basis of the confessional statement of co-accused person and till date no TIP has been conducted by the prosecution, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari or Successor Court in connection with Kesariya P.S. Case No.410 of 2024, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(III) 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 antecedent, 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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