

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27474 of 2026

Arising Out of PS. Case No.-279 Year-2025 Thana- MADHUBAN District- East Champaran

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Yogi Sahani, S/o Pachu Sahani, Resident of Village- Dhobauliya, P.S.-
Madhuban, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dhandev Kumar, Advocate
		Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s	:	Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 17-06-2026 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Madhuban P.S. Case No. 279 of 2025, registered for the offence(s) under Section(s) 137(2) and 140(1) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the informant has alleged that one Sajan Kumar had taken away her son who did not return home and became traceless.

4. The learned counsel for the petitioner submits that initially, the case was lodged only for kidnapping of the son of informant by one Sajan Kumar however, subsequently, the said Sajan Kumar was apprehended and in his confessional



statement, the name of petitioner has surfaced. It has further been submitted that dead-body of informant's son was recovered on the basis of confessional statement of co-accused Sajjan Kumar with whom the petitioner has no concern whatsoever. It has next been submitted that the petitioner is a 78 years old person and only out of village politics, he has falsely been implicated in the present case. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his/her arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on his/her furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Madhuban P.S. Case No. 279 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his/her close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the concerned Court.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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