IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48640 of 2026

CNR No. BRHC010699242026

Arising Out of PS. Case No.-63 Year-2025 Thana- ASHOK PAPER MILL District- Darbhanga

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Nandu Sahni S/o Late Soman Sahni Resident of Village- Girdharpur, P.S.- Ashok Paper Mill, Dist- Darbhanga

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Saurav Anand, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP
For the Informant : Mr. Girish Chandra Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

6 27-10-2026 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Ashok Paper Mill P.S. Case No. 63 of 2025 instituted for the offences under Sections 137(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in brief, is that on 09.05.2025 at about 11:30 PM, the informant's son Rahul Kumar was allegedly called by Nandni Kumari and Gola Kumari near Girdharpur Mahar Pokhar Pool, where he went with Kaushal Kumar, who returned alone, while Rahul Kumar remained

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missing. Later on, the dead body of the informant's son was recovered.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of disclosure made by co-accused. No specific overt act is alleged against the petitioner rather the specific allegation is alleged against co-accused persons. There is no eye-witness to the alleged occurrence. Learned counsel further contended that except the confessional statement, there is no material against the petitioner to show his involvement in the alleged occurrence. He also contended that confession before the police has no evidentiary value in the eye of law. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.01.2026 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no direct material against the petitioner in the case diary as also the period of custody undergone by the

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petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed,*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ashok Paper Mill P.S. Case No. 63 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or a close family member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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