IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62631 of 2026

CNR No. BRHC010898732026

Arising Out of PS. Case No.-823 Year-2025 Thana- MOTIHARI MUFASIL District- East Champaran

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Santosh Sahani @ Santosh Sahni S/o Durdel Sahani @ Gurdel Sahani Resident of Village - Nandpur, PS - Muffasil Motihari, District - East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

3 04-11-2026 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 334(1), 303(2) of the BNS.

3. The case of the prosecution is that on 16.12.2025, unknown miscreants entered the house of informant and committed theft. They have committed theft of Inverter, a battery, silver bangles belonging to small children, valuable clothes, utensils, a large quantity of brass and copper utensils and a bike.

4. Learned counsel for the petitioner submits that the

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petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Learned counsel for the petitioner has submitted that the FIR was lodged against unknown miscreants. During course of investigation, one Suraj Kumar was apprehended. He has given his confessional statement. Save and except the confessional statement, there is nothing against the petitioner. No recovery has been made from the possession of this petitioner. Recovery, if any, has been made from the possession of co-accused Shatrudhan Sahani. It has further been submitted that similarly situated co-accused Rakesh Kumar has been granted bail by this court vide Cr. Misc. No. 62186 of 2026. The case of this petitioner stands on similar footing. Moreover, he is languishing in judicial custody since 22.05.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that the petitioner is having ten criminal antecedents.

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 Muffasil Motihari P.S. Case No. 823 of 2025 on furnishing bail

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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, Motihari. **with the following conditions:-**

(i) The petitioner shall cooperate in trial and shall remain physically present in the trial court on each and every fixed date.

(ii) One of the bailors should be close relative of the petitioner.

(iii) He shall mark his weekly attendance in Muffasil P.S.

7. Office is directed to communicate this order to the Superintendent of Police, East Champaran.

(Ashok Kumar Pandey, J)

Sneha/-

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