

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64317 of 2025

Arising Out of PS. Case No.-153 Year-2022 Thana- CHIRAIYA District- East Champaran

Binod Sahani S/o- Ramnath Sahani Village- Madhubanighat Tola Ps- Mathiya
Dist- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Hemant Ray, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 10-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, not named in the F.I.R., is apprehending his arrest in connection with Chiraiya P.S. Case No. 153 of 2022 registered for the offences punishable under Sections 302, 120B of the Indian Penal Code and 27 of the Arms Act, pending in the court of learned 4th Additional Chief Judicial Magistrate, Sikrahana at Dhaka, East Champaran.

3. As per FIR, the informant alleged that five persons came on two motorcycles and fired at his brother who died on the spot.

4. Learned counsel appearing on behalf of the petitioner submitted that except suspicion arising out of



confessional statement, nothing incriminating appears against the petitioner as to connect him with the present crime in question. It is also submitted that investigation on all material aspects has been completed in this case upon arrest of other co-accused persons and, therefore, custodial interrogation of the petitioner is not required. It is submitted that no purpose of justice shall be served by sending the petitioner behind the bar.

5. While opposing the prayer of anticipatory bail of the petitioner, it is submitted by learned A.P.P. for the State that the impugned order categorically suggests that it was the petitioner who had shot the deceased, was identified as a shooter during course of investigation. In support of his submission, learned A.P.P. referred para 79 & 80 of the CD-3 as mentioned in the impugned order. Beside aforesaid, it is pointed out that NBW and also process of section 82 of Cr.P.C. already initiated against the petitioner, who admittedly involved in nine more criminal cases as para 3 of the present bail petition.

6. In view of aforesaid factual submission and by



taking note of active involvement of petitioner being shooter with the present crime in question as per CCTV footage, coupled with the fact that petitioner is a man of criminal antecedents as he found involved in nine more criminal cases, accordingly, prayer of anticipatory bail of the petitioner stands rejected.

(Chandra Shekhar Jha, J)

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