

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68809 of 2025

Arising Out of PS. Case No.-145 Year-2024 Thana- BANJARIA District- East Champaran

Pravesh Sahani @ Ramesh Sahani @ Ram Pravesh Sahani S/o Dasayi Sahni
R/o Village - Jhakhiya, P.S - Banjariya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Usha Kumari, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-02-2026 Heard the parties.

2. The petitioner seeks bail in connection with Banjariya P.S. Case No. 145 of 2024 registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

3. The petitioner is named in the F.I.R. and is in custody since 11.07.2025.

4. As per FIR both petitioners along with co-accused namely Babloo Sahani were working together with the deceased son of the informant as fisherman, where some altercations took place on 16.03.2024, during which son of the informant received head injuries and resultantly died on 25.06.2024.



5. Learned counsel appearing on behalf of the petitioner submitted that the thrust of allegation as per FIR to cause fatal assault is available against co-accused Babloo Sahani who is not petitioner for the present whereas no overt act appears attributed against petitioner. It is pointed out that even allegation of instigation is also not available against this petitioner and he was present at the place of occurrence in his professional capacity being fisherman.

6. Arguing further, it is submitted that similarly situated co-accused persons namely, Dalu Sahani and Bhola Sahani has already granted anticipatory bail by this Court through Cr. Misc. No. 87397 of 2024 vide order dated 19-04-2025. While concluding the argument, it is submitted that petitioner found involved in five more criminal cases related with Excise Act, where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP opposes the prayer of bail.

8. In view of aforesaid factual submission and by



taking note of fact as allegation is *qua* causing fatal assault is specifically available against co-accused Babloo Sahani, whereas no overt act appears attributed against petitioner, coupled with fact as investigation of this case already completed, where petitioner remains in custody since 11.07.2025, accordingly petitioner above named, is directed to be released on bail in connection with Banjariya P.S. Case No. 145 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Motihari, East Champaran /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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