

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81732 of 2025

Arising Out of PS. Case No.-151 Year-2025 Thana- Raghunathpur District- East Champaran

Krishna Sahani S/o Late Lal Bahadur Sahani Resident of Village - Sapahi
Jatwa, P.S - Raghunathpur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-01-2026 Heard Mr. Dhurendra Kumar, learned counsel for

the petitioner and Mr. Shyameshwar Dayal, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
12.06.2025 in connection with Raghunathpur P.S. Case No. 151
of 2025, F.I.R. dated 06.06.2025 for the offences punishable
under Sections 103(1), 3(5), 61(2) and 238 of the B.N.S, 2023.

3. According to prosecution case, this petitioner along
with other accused persons assaulted and killed the son of the
informant by administering poison.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The allegation as alleged in the
F.I.R is false and fabricated and the petitioner has not committed
any offence as alleged in the F.I.R. From perusal of the F.I.R., it



appears that the date of occurrence is 04.06.2025 but the present F.I.R. has been instituted on 06.06.2025 i.e., after delay of 2 days without giving any explanation of the said delay. Except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the postmortem report reveals that the deceased died due to drowning and the police have recovered the dead body from the bank of Dhobi river. The petitioner has been made accused merely on the ground that he is cousin father-in-law of the deceased. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 12.06.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, East Champaran, Motihari in connection with Raghunathpur P.S. Case No. 151 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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