

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79048 of 2025**

Arising Out of PS. Case No.-133 Year-2025 Thana- MOHAMMADPUR District- Gopalganj

Rajesh Sahani @ Rakesh Sahani S/o Shambhu Sahani Resident of village -  
Dipau Pakari, P.S - Mohammadpur, District -Gopalganj, State - Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                      |
|----------------------------|---|--------------------------------------|
| For the Petitioner/s       | : | Mr.Ranjan Kumar Srivastava, Advocate |
| for the informant          | : | Mr. Rajesh Ranjan, Advocate          |
|                            |   | Mr. Himanshu Ranjan, Advocate        |
| For the Opposite Party/s : |   | Mr.Brajendra Nath Pandey, A.P.P.     |

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

3      11-02-2026                      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  
Mohammadpur P.S. Case No. 133 of 2025, instituted for the  
offences under Sections 80 and 238 of the Bharatiya Nyaya  
Sanhita, 2023.

3. Prosecution case, in short, is that the petitioner  
alongwith the family members tortured and killed the deceased  
for the non-fulfillment of demand of dowry and concealed her  
dead body.

4. Learned counsel for the petitioner submitted that the  
petitioner has falsely been implicated in the present case.



Petitioner is the brother-in-law (Jeth) of the deceased. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that petitioner is separate in mess and business and has got no concern in the family affairs of the deceased and her husband. Husband of the deceased is already in custody. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.08.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, husband of the deceased being in custody, as also the period of custody undergone by the 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 Mohammadpur P.S. Case No. 133 of 2025, subject to the following conditions:



(I) One of the bailors shall be the petitioner’s own or close 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)**

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