

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88781 of 2025

Arising Out of PS. Case No.-135 Year-2025 Thana- MALAHI District- East Champaran

Krishna Sahani S/O Ramashray Sahani R/O Village- Nagdaha, P.S.- Malahi,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Choubey Jawahar, A.P.P.

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

ORAL ORDER

3 26-02-2026 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Malahi
P.S. Case No. 135 of 2025 instituted for the offences under
Sections 109(1), 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the accused persons
namely Krishna Sahani (petitioner) and Surendra Yadav
surrounded the informant, stabbed him in his stomach and
thrown him on the bank of the canal and, thereafter, fled away
from there.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
merely on the basis of suspicion. He further submitted that co-



accused Samir Khan stabbed him. The informant is not the eye-witness to the alleged occurrence. He further submits that there is delay of one day in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. In course of investigation, nothing adverse has come against the petitioner showing his complicity in the alleged occurrence. Charge-sheet has been submitted in this case. The petitioner has no concern with the alleged occurrence. Learned counsel for the petitioner further submits that other co-accused has been granted bail by this Bench vide order dated 16.10.2025 passed in Cr. Misc. No. 72796 of 2025. The petitioner has no criminal antecedent and is languishing in judicial custody since 03.09.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also there being no specific or direct allegation of assault against the petitioner, let the petitioner abovenamed, be released on bail 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 Malahi P.S. Case No. 135 of 2025.

(Rudra Prakash Mishra, J)

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