

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90473 of 2025

Arising Out of PS. Case No.-212 Year-2025 Thana- SHIKARGANJ District- East Champaran

Nawal Sah S/O Panchu Sah @ Pachu Sah R/O Village- Kohbarwa, P.S-
Shikarganj, Distt.- East Champaran.

... .. Petitioner/s

Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Shikarganj P.S. Case No. 212 of 2025 registered for the alleged offences under Sections 103(1), 61(2) r/w 3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

03. As per prosecution case, second husband of the informant was shot dead and the informant named co-accused persons including her first husband for being involved in the occurrence. The name of the petitioner transpired during investigation for being involved in the alleged occurrence.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. Learned counsel further submits that the deceased was the own brother of the first husband of the informant and the petitioner is said to be associate of the brother of the deceased. During investigation, no material has come up on record showing the complicity of the petitioner in the alleged occurrence. Even in confessional statement, it has only come that the petitioner accompanied the co-accused when the co-accused shot dead his brother. However, no one has seen the killing. The petitioner has been made accused in the present case without any cogent evidence or material. The petitioner is in custody since 30.08.2025 and charge-sheet has been submitted. The petitioner is having no criminal antecedent.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of materials collected against the petitioner in the light of allegation made and also considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Judicial Magistrate 1st Class, Sikarahna, East Champaran, Motihari/court concerned in connection with Shikarganj P.S. Case No. 212 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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