

In the Court of Sessions Judge, East Champaran at Motihari.

Present:

Abhishek K. Das
Sessions Judge,
East Champaran at Motihari

Bail Petition No.561 of 2026

1. **Abhimanyu Sahani @ Abhimanu Kumar, S/o- Late Hiralal Sahani, aged about 30 years**

Resident of village- Bheddhari, P.S.- Sugauli, District- East Champaran

----- **Petitioner**

Versus

The State of Bihar

----- **Opposite party.**

Counsel for the Petitioner :- Sri Madan Mohan Singh, Advocate

Counsel for the State :- Sri Khublal Prasad, Public Prosecutor.

01-04-2026

This bail petition is filed on behalf of the above-named petitioner-accused, namely, Abhimanyu Sahani @ Abhimanu Kumar, who is in custody since 30-01-2026 in connection with Trial No.3370 of 2024 (arising out of Sugauli P.S. Case No.496 of 2018 u/s 341, 342, 323, 324, 307 and 302/34 of the I.P.C.

The prosecution case, in brief, is that on 09-12-2018 at about 08:30 A.M. the informant's brother Tiger Sahani was going to market, on the way he reached at the door of accused Bhagwan Sahani, petitioner and others surrounded him and started assaulting him. Hearing noise, when the father of informant, namely, Inal Sahani and mother, namely, Tara Devi came to save the brother of informant, accused Bhagwan Sahani gave *gupti (barchi)* blow in the abdomen of father of informant, with an intention to kill him, causing injury. Petitioner Abhimanyu Sahani gave bamboo blow on the head of mother of informant, with an intention to kill her, causing injury. Thereafter, all the accused persons assaulted them with *lathi* and *fatta*. Hearing noise, villagers came and injured were taken to P.H.C. Sugauli, where considering the seriousness of injury, the father of informant was referred to Motihari, where during the course of treatment, the father of informant died. Thereafter, the petitioner-accused and other co-accused persons came to P.H.C. Sugauli and committed *marpit*.

In para-2 of this bail petition, it is mentioned that earlier ABP No.2026 of 2022 was filed on behalf of the petitioner, which was rejected and except that no other bail petition has been filed either in this Court or before the Hon'ble High Court, Patna. In para-3 of the bail petition, it is mentioned

that petitioner has no criminal antecedent and in para-4, it is mentioned that petitioner is in custody since 30-01-2026.

The learned counsel for the petitioner-accused has submitted that the petitioner-accused is innocent and he has committed no offence, as alleged and he has falsely been implicated in this case due to village party politics. It is further submitted that no case u/s 302 and 307 I.P.C. is made out against the petitioner.

The learned Public Prosecutor appearing on behalf of the State has opposed the prayer for bail of the petitioner-accused on the basis of materials available in the case diary.

Heard both sides and perused the certified copy of F.I.R. as well as case diary. As per F.I.R., petitioner along with others were assaulting the brother of informant and when his father and mother came in rescue, they also assaulted them, due to which they received serious injury. The father of informant died during the course of treatment. As per injury report of informant's mother, mentioned in para-26 of the supplementary case diary, she has received lacerated wound on left parietal region of scalp 3" x 1/6" x up to skin deep. As per injury report of informant's father, mentioned in para-27 of the supplementary case diary, he has received lacerated wound over scalp, neck, cheek, abdomen. As per post-mortem report, which is attached with the case diary, the cause of death is hemorrhage and shock due to injuries. The witnesses vide para-11, 12, 13, 75, 76, 77, 78, 79, 80 of the supplementary case diary have corroborated the version of F.I.R. As per police report dated 25-03-2026, petitioner has no criminal antecedent.

Considering all these facts, as above, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of petitioner-accused **Abhimanyu Sahani @ Abhimanu Kumar stands rejected.**

(Dictated)

Sd/-

Sessions Judge
East Champaran at Motihari
01-04-2026