

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

**Present:-**

**Abhishek K. Das**  
**Sessions Judge,**  
**East Champaran at Motihari**

**Bail Petition No. 811 of 2026**

- 1. Shivraj Sahani, aged about 30 years, S/o- Fuldev Sahani.**
- 2. Praveen Sahani, aged about 28 years, S/o- Gudev Sahani @ Fulgen Sahani.**  
Both R/o village- Banarjhula Bhagwanpur, P.S. Pakaridayal, District- East Champaran.  
----- **Petitioners.**

**Versus**

**The State of Bihar**

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

**Counsel for the Petitioners :- Sri Prabhu Sahani, Advocate.**  
**Counsel for the State :- Sri Khublal Prasad, Public Prosecutor.**

**04.04.2026**

This bail petition is filed on behalf of the petitioners (1) Shivraj Sahani and (2) Praveen Sahani, who are in judicial custody since 16.02.2026 in connection with Pakaridayal P.S. Case No.311 of 2025 u/ss 191(2), 191(3), 190, 329(3), 126(2), 115(2), 118(1), 109, 103(1), 125(b) and 117(2) of Bharatiya Nyaya Sanhita, 2023 and 27 of Arms Act.

**In para-2 of the bail petition, it is mentioned that earlier A.B.P. No. 5731/2025 was filed on behalf of the petitioners which was rejected by the Court of learned 16<sup>th</sup> Addl. Sessions Judge, Motihari, thereafter Cr. Misc. No. 4082/2026 was preferred by the petitioner before the Hon'ble Patna High Court which was also rejected, except that no other bail petition has been filed either in this Court or before any superior Court. As per para-3 of the bail petition the petitioners have no criminal antecedent and as per para-4 of the petitioner the petitioners are in custody since 16.02.2026.**

As per F.I.R., on the alleged day of occurrence when the informant was building his house all the F.I.R. named persons including the petitioners armed with pistol, lathi, farsa, sword came there and attacked upon him. The informant had called the police earlier, who settled the matter between the parties and return back, then after accused persons again attacked the informant. Shivraj Sahani (petitioner), Nawal Sahani, Sikandar Sahani and Praveen Sahani (petitioner) opened firing upon the informant's Ajay Sahani, as a result he sustained two gunshot injuries over his chest. Accused persons also assaulted

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Nidhi Kumari, Devanti Devi and Bindeshwari Sahani. The informant took Ajay Sahani to Sub-divisional Hospital, Pakaridayal, from where he was referred to Motihari, but on the way he died.

The learned counsel for the petitioners has submitted that the petitioners are innocent and they have committed no offence. There is no specific allegation against the petitioners except general and vague. Both the parties are pattidars and there is land dispute between them. The petitioners have no concern with the alleged occurrence.

The learned Public Prosecutor appearing on behalf of the State has opposed the prayer for bail.

Heard both sides and perused the record. From perusal of the same, it transpires that the petitioners are named in the F.I.R. As per F.I.R., there is specific allegation that the petitioners Shioraj Sahani, Praveen Sahani and other co-accused persons shot dead the informant's son Ajay Sahani. As per para-2 of the case diary, containing inquest report, cause of death is due to gunshot injury. As per para-77 of the case diary, containing Postmortem report doctor found one entry wound and one exit wound on the dead body during external examination of deceased and cause of death is haemorrhage and shock due to injury mentioned in the postmortem report. As per para- 4 of the case diary, containing seizure list, police recovered live cartridges, misfired cartridges and empty cartridges from the place of occurrence. As per para-5, 9, 10, 11, 50 and 51 of the case diary, the informant in his restatement and the witnesses including the independent witnesses in their statement have corroborated the version of F.I.R. and supported the prosecution case also. As per para-3 of the bail petition, the petitioners have no criminal antecedent. Upto para-85 of the case diary dated 21.09.2025, nothing has been mentioned regarding criminal antecedent of the petitioner/accused. Investigation against the petitioners is under progress.

In the facts of the case and keeping in view the specific nature of allegation, gravity of offence and materials available in the case diary, I am not inclined to enlarge the petitioners on bail. Accordingly, the prayer for bail of petitioners, namely, **(1) Shivraj Sahani** and **(2) Praveen Sahani** stands **rejected**.

**(Dictated)**

**Sd/-**

**Sessions Judge**  
**East Champaran at Motihari**  
**04.04.2026**