

In the Court of Dist. & Additional Sessions Judge-III, Sheohar.

B.P. No-74 /2026

Arising out of Tariyani P.S. Case No-118/2026

Present:-Sunil Dutt

District & Additional Sessions Judge-III, Sheohar

- 1. Rupesh Kumar , S/o /Rambabu Sahani, Aged-about 25years,**
- 2. Sanjay Sahani, S/o Late Nantun Sahani, Aged -about 35 years,**
R/o-Village-Aura Malikana , PS-Tariyani, Dist- Sheohar (Bihar)

..... (Petitioners)

V /s

State Of Bihar.....(Opposite Party)

On behalf of State-Md. Arshad Siddique (Ld. APP)

On behalf of defense- Shri Yogendra Shah (Ld. Advocate)

Sl. No .	Date of Order	Order with signature	Remarks
	<u>17.06.2026</u>	<u>Order</u> The regular bail petition of the petitioners above named (1) Rupesh Kumar, (2) Sanjay Sahani who are in Judicial Custody since 30.04.2026 in connection with Tariyani PS Case No.- 118/2026, dated-25.04.2026, u/s- 103(1), 238 of BNS, have been pressed today for hearing. Copy of the petition has already been served to Ld. APP for the state. Heard Shri Yougendra Shah on behalf of the petitioners and Md. Arshad Siddique Ld. APP for the state and perused the case record. From perusal it appears, that the prosecution story as per FIR in brief is that informant Rambabu Sahani S/o Late Methur Sahani , logged written complaint before SHO Tariyani alleging there in, that on 24/04/26 at about 08.00 p.m., his son Rahul Sahani aged about 20 years was present on his(informant's) residence at 200 metres away towards north of their house. After having dinner with him, his son Rahul Sahani said that he was going home to sleep and then he left his (informant) residence. On 25.04.2026 in the morning approximately at 7:00 a.m. his villagers informed that a person was lying in a dead condition near bamboo grove situated close to the bamboo ghat in village Aura Malikana ward no. -06.	

<u>Continued</u> <u>17.06.2026</u>	Upon receiving the information he along with his family members reached the said place near the bamboo grove and found deceased person was his son Rahul Sahani. He has firm belief that some unknown person has murdered his son and threw his dead body. Accordingly FIR was instituted. Ld. Defense Counsel appearing for the petitioners has submitted that earlier the bail petition of the petitioners was rejected on 06/05/26 by Court of CJM, Sheohar and thereafter no other regular bail application has been filed or pending before this Court as well as before Hon'ble High Court Patna as mentioned in para-2 of the bail petition, and the petitioner are having clean antecedent as mentioned in para-3 of the bail petition. The learned Counsel further submitted that petitioners have falsely been implicated only on suspicion in this case. They have not committed any offence. Petitioners who are under judicial custody since 30-04-2026 are quiet innocent and there is no chances of absconding of the petitioners and are ready to comply the conditions and furnish the bail bond as per order of the Court. It has lastly been prayed by learned counsel to allow the prayer of regular bail of the petitioners. <i>Per contra</i> Ld. APP vehemently opposed the prayer of bail of the petitioners and submitted that petitioners have committed a heinous offence. They does not deserves the privilege of bail and prayed to reject the bail petition of the petitioners. Heard both sides and perused the case record. After perusal of the case record it appears that the case has been instituted u/s 103(1), 238 of B.N.S. From the perusal of record and case diary it appears that petitioners are not named in the FIR. Petitioner No.-01 Rupesh Kumar is brother of deceased Rahul Sahani. Name of petitioner no.01 and 02 has been surfaced in this case on the basis of confessional statement and during course of investigation as mentioned in para 26, 28, 29, 30, and 33 of the case diary and on the basis of tower location(CDR) of mobile number 6201138124 in the name of Sanjay Sahani(petitioner no.-02)	
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<u>Continued</u> <u>17/06/2026</u>	which is mentioned in para 36 of the case diary. On perusal of para 45 of case diary which is scan copy of postmortem report which shows that opinion has been reserved for forensic report. From further perusal of para 52 of the case diary it appears that there is no criminal antecedent mention in the available case diary, which is also submitted by the learned counsel in para-03 of the bail petition, which is supported with an affidavit. Case is under investigation, the facts alleged are corroborated by material available in case diary. Thus considering the above facts and circumstances of the present case, allegations of heinous nature, gravity of the offences, case is under investigation, this Court is not inclined to grant the privilege of regular bail to the above named petitioners. Hence the regular bail petition filed on behalf of petitioners (1) Rupesh Kumar, (2) Sanjay Sahani is hereby <u>Dismissed.</u> Dictated Sd/- (Sunil Dutt) District & Additional Sessions Judge-III, Sheohar. 17.06.2026	
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