

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81627 of 2019

Arising Out of PS. Case No.-289 Year-2019 Thana- FALKA District- Katihar

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1. DHANIYA KUMARI, aged about 19 years, Female, D/O - Shyam Rishi, Resident of South Amool, P.S.- Falka, District- Katihar
 2. Shyam Rishi, aged about 60 years, Male, Son of Late Tetar Rishi, Resident of South Amool, P.S.- Falka, District- Katihar
 3. Alaiya Rishi, aged about 21 years, Male, Son of Shyam Rishi, Resident of South Amool, P.S.- Falka, District- Katihar
 4. Dulari Devi, aged about 55 years, Female, Wife of Shyam Rishi, Resident of South Amool, P.S.- Falka, District- Katihar ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Md. Musowir, Adv.

For the Opposite Party : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 19-06-2020 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state through video conferencing.

The petitioners seek pre-arrest bail in connection with Falka P.S. Case No. 289 of 2019, registered under Sections 302 and 201/34 of the Indian Penal Code.

The accusation is that on 29.07.2019 in the morning the villagers informed the informant, Anil Rishi, about throwing the dead body of his brother, Vakil Rishi, then, he went there and identified the dead body as of his brother, Vakil Rishi. His brother, Vakil Rishi, had love affairs with Dhaniya Kumari (petitioner no. 1). In the previous evening his brother had gone



to village Amaul and in the next morning his dead body was seen. Informant raised suspicion about having hand of the petitioners in the murder of his brother, Vakil Rishi.

Submission is that it would appear from the first information report and the case diary, which is upto paragraph 176, that mere on suspicion the informant has disclosed the names of the petitioners, along with Kamal Rishi and Upendra Rishi having hand in the murder of his brother, Vakil Rishi.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Falka P.S. Case No. 289 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, I, Katihar, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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