

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7952 of 2025

Arising Out of PS. Case No.-166 Year-2023 Thana- BAUNSI District- Araria

1. Devan Risideo, Male, aged about 35 years, S/o- Gulab Chand Rishideo, R/O Village- Dhobania Bhola Pokhar, Ward No-9, P.S.- Bousi, Dist- Araria
2. Gulabchand Risideo, Male, aged about 55 years, S/o- Late Janaklal Risideo, R/O Village- Dhobania Bhola Pokhar, Ward No-9, P.S.- Bousi, Dist- Araria

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : M/S. Pankaj Kumar and Vijay Kishore Bharti,
Advocates

For the Opposite Party : Mr. Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 09-07-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in connection with Sessions Trial No. 30 of 2024, arising out of Bousi P.S. Case No. 166 of 2023 dated 05.10.2023 registered for the offences punishable under Section 302 read with Section 34 of the I.P.C.

3. As per the prosecution case, the petitioners are alleged to have assaulted the informant's son, Dashrath Rishideo, who was residing in his in-laws house, due to which, he died. The petitioners are the brother-in-law and the father-in-law of the deceased.

4. Learned counsel for the petitioners has submitted that



the petitioners are innocent and have falsely been implicated in the present case. The petitioners are the brother-in-law and the father-in-law of the deceased. There is no eye witness to the alleged offence. It is further submitted that the marriage of the deceased took place with the daughter of the petitioner no. 2 and the sister of the petitioner no. 1, fifteen years ago, and they were residing separately after constructing the house. The petitioners and their family members had no concern with the family affair of the deceased. The deceased used to live in Odisha for his livelihood and came to his house a few days ago. It is further submitted that on the alleged date of occurrence, the wife of the deceased, namely, Sanjula Devi, returned with her relatives in the morning after Ganga bath. It is further submitted that the quarrel took place between the petitioners and the deceased as the Mausai of the deceased stayed with another person in the village. Thereafter the deceased went to Odisha in drunken condition. Thereafter, there was rumour in the village that the deceased died in the pond of Jute Plant. The charge sheet has been submitted in the present case. The petitioners are only bread earner of their family members and their family members are at the verge of starvation. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application.



The petitioners are in custody in this case since 06.10.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioners and has further submitted that the petitioners are named in the F.I.R. There is direct allegation against the petitioners that they assaulted the deceased and the doctor has found injuries on the body of the deceased and the death in the opinion of the doctor is as a consequence of above mentioned head and brain injury.

6. Considering the aforesaid facts and circumstances of the case as well as heinous nature of accusation against the petitioners, this Court is not inclined to grant bail to the petitioners and the same is rejected in connection with Sessions Trial No. 30 of 2024, arising out of Bousi P.S. Case No. 166 of 2023, pending in the court of learned Additional District and Sessions Judge-IV, Araria,

7. The application stands rejected.

8. The learned trial court is directed to expedite the trial of the petitioners and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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