

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17098 of 2025

Arising Out of PS. Case No.-284 Year-2024 Thana- BIHIA District- Bhojpur

- 1. Kumariya Devi W/O Yogendra Nat R/O Village- Baghai Nat Tola, P.S- Bihia, Distt.- Bhojpur.
- 2. Rajwanti Devi D/O Yogendra Nat R/O Village- Baghai Nat Tola, P.S- Bihia, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 17433 of 2025

Arising Out of PS. Case No.-284 Year-2024 Thana- BIHIA District- Bhojpur

Sita Ram Nut @ Sitaram Nut @ Sitaram Nat @ Sitaram Nat Yadav @ Sita Ram Nat S/O Late Ghurfekan Nut R/O vill - Baghi Nat Toli (bagahin nut toli), P.S - Bihiya, Dist- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 17098 of 2025)
For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP
(In CRIMINAL MISCELLANEOUS No. 17433 of 2025)
For the Petitioner/s : Mr. Diwakar , Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA

ORAL ORDER

4 24-06-2025 Heard learned counsel for the petitioners and learned



APP for the State. Perused the case diary.

2. The petitioners seek bail in connection with Bihia P.S. Case No. 284 of 2024 instituted for the offences under Sections 103, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The allegation against the accused persons including the petitioners is of commission of murder of the informant's brother.

4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. Learned counsel further submitted that there is a delay of two days in lodging the FIR without plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that there is no eye-witness to the occurrence and the petitioners have been accused in this case merely on the basis of suspicion. Learned counsel further submitted that in course of investigation, no independent witness has come forward to support the case of the prosecution. No specific overt act is alleged against these petitioners. It has been submitted on behalf of the petitioners that the petitioners are in custody since 18.09.2024 and have no criminal antecedent. The co-accused persons have already been granted bail by a coordinate Bench of this Court vide order dated 12.02.2025 passed in Cr. Misc. No.



5376 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. As per the report dated 08.04.2025 sent by the learned court below, the case is pending on the stage of evidence in which one witness out of six has already been examined.

7. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bihia P.S. Case No. 284 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(III) If the petitioners tamper with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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