

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28467 of 2025

Arising Out of PS. Case No.-227 Year-2024 Thana- Mufassil District- Purnia

1. Rekha Devi Wife of Subodh Singh village- Satdob, Belouri, Ward no. 44, Ps- Mufassil, Dist- Purnea
2. Ajay Kumar son of Subodh Singh village- Satdob, Belouri, Ward no. 44, Ps- Mufassil, Dist- Purnea
3. Sanjay Kumar son of Subodh Singh village- Satdob, Belouri, Ward no. 44, Ps- Mufassil, Dist- Purnea
4. Manjay Kumar son of Subodh Singh village- Satdob, Belouri, Ward no. 44, Ps- Mufassil, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Prince Kumar Mishra, Advocate
For the State	:	Mr.Mritunjay Kumar Nirala, A.P.P.
For the Informant	:	Mr.Md.Shahnawaz Ali, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 20-06-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioners seek bail in a case registered for the offences under Sections 191(2), 191(3), 190, 126(2), 351(2), 118(1), 117(2), 109 and 103(1) of B.N.S.

3. As per the prosecution case, the informant in her written report stated therein that while the children of the family members were playing on the rooftop of one



Subodh Singh, the petitioner along with other named co-accused and four unknown persons came to the house of the informant armed with deadly weapons. It is alleged that the husband of the informant, namely, Dinesh Sahani was assaulted by lathi, danda. It has been stated that the husband of the informant was taken to the hospital and during the course of treatment, he succumbed to the injuries.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case and from perusal of the FIR it would be evident that there is general and omnibus allegation against all the accused persons. Learned counsel further submits that the entire family of the petitioner no. 1 including her husband have been implicated in this false case. It is further submitted that there is case and counter case and the petitioner nos. 2 to 4 had also received injuries and they were arrested while undergoing treatment. Learned counsel next submits that from perusal of the post-mortem report, it would be evident that the external injuries as stated in the post-mortem report does not corroborate with the allegations levelled in the FIR. It is lastly submitted that the



petitioners have clean antecedent and are in custody since 18.11.2024.

5. Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail of the petitioners and submits that the petitioners along with other accused persons had assaulted the husband of the informant who died due to the injuries inflicted by them. Learned counsel for the informant further submits that the petitioners are accused of committing murder of the husband of the informant and should not be released on bail.

6. Considering the aforesaid facts and circumstances of the case and taking into account that there is general and omnibus allegations against them, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) on each of them with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mufassil P.S. Case No. 227/2024 subject to the conditions :-

- a. One of the bailors of the petitioners shall be their close relative.
- b. The petitioners shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive



dates or in violation of the terms of the bail,
the bail bond of the petitioners will be
liable to the cancelled by the court
concerned.

d. The Court below shall verify the criminal
antecedent of the petitioners and in case at any
stage it is found that the petitioners have
concealed their criminal antecedent, the court
below shall take step for cancellation of bail bond
of the petitioners. However, the acceptance of bail
bonds in terms of the afore-mentioned order shall
not be delayed for purpose of or in the name of
verification.

7. It is made clear that the observations, if any,
made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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