

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25866 of 2025

Arising Out of PS. Case No.-364 Year-2023 Thana- FALKA District- Katihar

1. Rubi Devi Wife of Lelhu Rishi village- Saifganj, (kachahri Tola), Ps-forbisganj, Dist- Araria
2. Birendra Rishi Son of Late Jholi Rishi village- Saifganj, (kachahri Tola), Ps-forbisganj, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 02-05-2025 Heard the learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek regular bail in a case registered for the offence under Sections 302, 120B/34 of the Indian Penal Code as well as under Section 3/4 of the Witch Act.

3. As per the prosecution case, the petitioners are said to have killed the deceased. In the FIR, suspicion has been raised against one Shiv Nandan rishi @ Chippu Rishi and others. The name of the petitioners has come in the confessional statement of the co-accused.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have not committed any crime. The petitioners are in custody since 13.10.2023.

5. Learned A.P.P. for the State has vehemently



opposed the prayer for bail.

6. Considering the facts and circumstances of the case, this application for regular bail is allowed.

7. Accordingly, let the petitioners, above named, 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 the learned District and Sessions Judge, 3rd, Katihar/concerned Court below in connection with Falka P.S. Case No. 364 of 2023 subject to condition that:-

(i). The petitioners shall appear in the trial regularly either personally or through their lawyer and shall cooperate in the trial and non-cooperation in the trial shall result in cancellation of the bail bonds of the petitioners.

(ii). However, before accepting the bail bonds of the petitioners, the Court below will verify the date of custody of the petitioners. If the statement of the learned counsel for the petitioners is found true only then the bail bonds of the petitioners shall be accepted otherwise an appropriate order shall be passed by the Court below.

8. This application for regular bail stands allowed.

(Sandeep Kumar, J)

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